

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AYRES: Resolution of Group 6, New York State Bankers' Association, favoring the Aldrich proposal for currency reform; to the Committee on Banking and Currency.

Also, petitions of numerous citizens of New York City, favoring the parcels post; to the Committee on the Post Office and Post Roads.

By Mr. DRAPER: Resolutions of the Manufacturers' Association of New York, in favor of the establishment of a court of patent appeals; to the Committee on Patents.

Also, resolutions of the Manufacturers' Association of New York, relating to the manner of revising the tariff laws; to the Committee on Ways and Means.

By Mr. ESCH: Petition of citizens of Galesville and Ettrick, Wis., favoring reduction in duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. HAMILTON of West Virginia: Petitions of numerous citizens favoring a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. HENRY of Texas: Petitions of various citizens of Pearl, Tex., asking for a reduction of the duty on raw sugar; to the Committee on Ways and Means.

By Mr. HUGHES of New Jersey: Petitions of sundry citizens of New Jersey, favoring a reduction in the duty on raw and refined sugar; to the Committee on Ways and Means.

Also, resolution of the Board of Trade of Newark, N. J., favoring an amendment to the corporation-tax law, so as to permit corporations to make their returns as of the fiscal year; to the Committee on the Judiciary.

By Mr. MATTHEWS: Papers in support of bill to grant an increase of pension to John Pattison; to the Committee on Invalid Pensions.

Also, papers in support of private pension bill for Winfield S. Mitchell; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: Petition of Herman Poseman, of Providence, R. I., asking for the adoption of House bill 161, authorizing the Committee on Immigration and Naturalization to investigate the immigration office at the port of New York and other places; to the Committee on Immigration and Naturalization.

By Mr. POWERS: Petition from John C. Rankin, of Rankin, Ky., and other citizens of Rankin and Monticello, Ky., requesting a reduction on the duty of raw and refined sugars; to the Committee on Ways and Means.

By Mr. SULZER: Resolutions of Group 6, New York State Bankers' Association, approving the Aldrich proposal for currency reform; to the Committee on Banking and Currency.

Also, petition of Wilhelm Straube, asking for the adoption of House resolution No. 166, introduced by Mr. SULZER, authorizing an investigation of the office of immigrant commissioner at the port of New York and other places; to the Committee on Immigration and Naturalization.

Also, petition of German-American Alliance, of Hartford, Conn., demanding the removal of Commissioner W. Williams, and for a more liberal administration of affairs at Ellis Island; to the Committee on Immigration and Naturalization.

Also, petition of German-American Alliance, of Hartford, Conn., protesting against the administration of the immigration laws; to the Committee on Immigration and Naturalization.

SENATE.

TUESDAY, June 20, 1911.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.
The Journal of yesterday's proceedings was read and approved.

PRESENTATION OF SILVER SERVICE.

The VICE PRESIDENT. The Chair lays before the Senate the following communication, which will be read.

The Secretary read the communication, as follows:

THE WHITE HOUSE,
Washington, June 19, 1911.

DEAR MR. VICE PRESIDENT: The beautiful silver tea service which the Members of the Senate have so kindly sent us in remembrance of our twenty-fifth anniversary has just arrived, and I hasten to express to you, and through you, to the Senators, our deep appreciation of their courtesy.

In conveying our sincere thanks will you kindly add that we shall always value the exquisite gift more especially as a souvenir of the kindness and courtesy of the distinguished body of men from whom it comes.

In sending our cordial thanks, believe me, with kindest regards from the President and myself.

Very sincerely, yours,

HELEN H. TAFT.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of the Board of Trade of Lowell, Mass., praying for the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

Mr. CULLOM presented a petition of the Woman's Christian Temperance Union of Keuka Park, N. Y., and a petition of the Business Men's Association of New London, Conn., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented memorials of Brickmakers' Local Union No. 16, of Belleville, Ill.; of the county board of the Ancient Order of Hibernians, of Essex County, Mass.; and of Local Division No. 5, Ancient Order of Hibernians, of New Brunswick, N. J., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. CUMMINS presented memorials of sundry farmers of Decatur, Lake City, and Martinsburg, all in the State of Iowa, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. NELSON presented a memorial of Local Division No. 1, Ancient Order of Hibernians, of Mankato, Minn., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. MARTINE of New Jersey presented a petition of the Board of Trade of Newark, N. J., and a petition of the Board of Trade of Elizabeth, N. J., praying for the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented memorials of Haddonfield Grange, No. 33; Wayne Township Grange, No. 145; and Pemberton Grange, No. 50, Patrons of Husbandry, of Burlington County, N. J., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented a petition of the congregation of the Stanley Congregational Church, of Chatham, N. J., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented a memorial of Simon Blake, of Jersey City, N. J., and a memorial of Local Division No. 16, Ancient Order of Hibernians, of Jersey City, N. J., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. O'GORMAN presented memorials of East Worcester Grange, No. 1238; Gouverneur Grange, No. 303; Enfield Valley Grange, No. 295; Elma Grange, No. 1179; Easton Grange, No. 1123; Lenox Grange, No. 1373; Veteran Grange, No. 1108; Constable Grange, No. 1047; and Watertown Grange, No. 7, all in the State of New York, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. DU PONT presented a memorial of the Third Ward Democratic Club, of Wilmington, Del., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. BOURNE presented a memorial of Sinslaw Grange, No. 54, Patrons of Husbandry, of Lorane, Oreg., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

ADDITIONAL JUDGE FOR FOURTH CIRCUIT.

Mr. CHILTON, from the Committee on the Judiciary, to which was referred the bill (S. 2604) authorizing the President to appoint an additional circuit judge for the fourth circuit, reported it without amendment.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CRAWFORD:

A bill (S. 2823) for the relief of Charles R. Crosby (with accompanying paper); to the Committee on Military Affairs.

A bill (S. 2824) granting an increase of pension to Edward M. Crabbs (with accompanying paper); and

A bill (S. 2825) granting an increase of pension to Peter M. Myers (with accompanying paper); to the Committee on Pensions.

By Mr. CHILTON:

A bill (S. 2826) granting an increase of pension to Joseph Hunter; and

A bill (S. 2827) granting an increase of pension to Thomas Cogar; to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 2828) authorizing that commission of ensign be given midshipmen upon graduation from the Naval Academy; to the Committee on Naval Affairs.

By Mr. JONES:

A bill (S. 2829) granting an increase of pension to William L. Sapp; to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 2830) granting an increase of pension to Robie M. Towle; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 2831) to provide for the sale of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw Nations in Oklahoma; to the Committee on Indian Affairs.

By Mr. BORAH:

A bill (S. 2832) granting an increase of pension to Margaret J. Roberts (with accompanying paper); to the Committee on Pensions.

By Mr. LODGE:

A joint resolution (S. J. Res. 38) permitting the Sons of Veterans, United States of America, to place a bronze tablet in the Washington Monument; to the Committee on the Library.

WITHDRAWAL OF PAPERS—LEWIS C. L. SMITH.

On motion of Mr. DU PONT, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers in the case of Lewis C. L. Smith, which are filed with the bill S. 3441, Fifty-fifth Congress, there having been no adverse report thereon.

THE MILITARY POLICY OF THE UNITED STATES.

Mr. DU PONT submitted the following resolution (S. Res. 76), which was read and referred to the Committee on Printing:

Resolved, That 2,500 copies of the publication *The Military Policy of the United States*, by Brev. Maj. Gen. Emory Upton, United States Army, be printed as a document.

MESSENGER TO COMMITTEE ON FISHERIES.

Mr. JONES submitted the following resolution (S. Res. 77), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Fisheries be, and it is hereby, authorized to employ an additional messenger at a salary of \$1,000 per annum.

ABOLITION OF SENATE OFFICES.

The VICE PRESIDENT. The morning business is closed, and the Chair lays before the Senate a resolution coming over from a former day, which will be read.

The SECRETARY. Senate resolution 74, by Mr. LODGE—

Mr. LODGE. At the request of certain Senators, I ask that the resolution may go over until to-morrow.

The VICE PRESIDENT. Without objection, that order will be made.

Mr. LODGE. I shall ask that the resolution be taken up to-morrow and disposed of.

WATERS OF NIAGARA RIVER.

Mr. BURTON. I ask unanimous consent for the present consideration of the joint resolution (S. J. Res. 3) extending the operation of the act for the control and regulation of the waters of Niagara River, for the preservation of Niagara Falls, and for other purposes. I should like if the Senator from New York [Mr. ROOR] were present while the joint resolution is under discussion. I do not know that it is necessary.

Mr. CULBERSON. Mr. President, I desire to say in this connection that when this matter was reported on Friday last and unanimous consent was asked for its present consideration, I objected for two reasons. The first was because the joint resolution had not been considered by the Senate, and in its then form I wanted to examine it carefully and see if there was any objection to it. The second reason for my objection to the consideration was because I recalled the fact that the governor of the State of New York had addressed a letter to the Senator from Maine [Mr. FRYE], the chairman of the Senate Committee on Commerce, in opposition to a measure of this general character, and also to Representative ALEXANDER, chairman of the Committee on Rivers and Harbors of the House of Representatives, which letters were printed, as I recollected, in the RECORD.

The Senator from Ohio [Mr. BURTON] has very kindly furnished me a copy of the letter of Gov. Dix, of New York, to

Representative ALEXANDER on the subject, and also a letter from the governor of New York to the Senator from Ohio [Mr. BURTON] dated February 24, 1911. I ask that the letter of the governor to the Senator from Ohio be read, and that the other be printed in the RECORD without reading.

The VICE PRESIDENT. Without objection, the Secretary will read the letter indicated, and the other letter will be printed without reading.

The Secretary read as follows:

STATE OF NEW YORK, EXECUTIVE CHAMBER,
Albany, February 24, 1911.

Hon. THEODORE E. BURTON,
United States Senate, Washington, D. C.

DEAR SENATOR BURTON: I am informed that the so-called Alexander power bill, relating to the use of Niagara River water for hydraulic purposes, is still in the hands of the Rivers and Harbors Committee, and, it is understood, will not be passed, and that you have introduced a concurrent resolution proposing to extend the term of the act of 1906, which bears your name, and which would expire by limitation on June 29, proximo, during the lifetime of the new treaty with Great Britain relative to boundary waters.

I have recently communicated to Representative ALEXANDER my views as to the inadequacy of his bill, and I inclose a copy of my letter to him. If this bill should be enacted it should only be after the adoption of amendments to cover the points I have made against it, and in which our State legislature has since concurred. If, however, there is to be no bill enacted on the subject at the present session of Congress, then your resolution should, I am sure, be adopted.

It seems to me that provision for the permanent adjustment of this whole matter should be based upon conferences between the Federal authorities and the authorities of this State, and I would be obliged if you would suggest the appropriate Federal officials with whom conferences in behalf of the State might take up this subject. It would seem, also, that a period of two years would be abundant time within which to reach a definite basis for the final disposition of this matter, and, if I am correct as to that, it would seem as though an extension of the Federal act of 1906 for a period of two years instead of for a term of five years would be desirable.

Respectfully, yours,

JOHN A. DIX.

The letter to Representative ALEXANDER was ordered to be printed in the RECORD, as follows:

FEBRUARY 16, 1911.

Hon. D. S. ALEXANDER,
Chairman Committee on Rivers and Harbors,
House of Representatives, Washington, D. C.

DEAR SIR: The bill known as the Alexander power bill, relating to the use of the hydraulic power of the Niagara River, now pending before your committee, involves interests of very great importance to the State of New York. The act which the bill would amend, usually known as the Burton Act, permitted grants to be made by the Secretary of War to individuals, companies, or corporations for diversion of water for the creation of power which then were, in 1906, actually using such water for that purpose; but that act contained a restriction limiting future use to not over 8,600 cubic feet per second to any one individual, and to not exceeding 15,000 cubic feet per second to all users of water from the Niagara River or from the Erie Canal.

The western level of the Erie Canal being fed from the waters of Lake Erie, a certain quantity of its flow on reaching the eastern end of that level becomes surplus and available for hydraulic purposes. Any use of that surplus should be in conjunction with continuous and unhampered supervision on the part of the State, in order to preserve the navigation interests of that canal. In 1906 there were several users of river water at the city of Niagara Falls who were independent of each other in interest, and there were several users at Lockport of surplus canal waters which had their source in Lake Erie, and who used under the terms of a permit previously granted by the State. That permit, originally made in 1826, was revoked by the superintendent of public works of the State, and any other disposition of that surplus to arise on completion of the canal improvement now in progress is being held in abeyance until after legislation shall be enacted by the State with reference thereto.

I believe there is no instance occurring prior to 1906 of any attempt on the part of the Federal Government to claim any jurisdiction to regulate the use of the waters of the Erie Canal after the same have once entered the State's canal system. The Federal act of 1906 did not allow the issuing of permits to any single interest then existing or thereafter to come into existence, whereby use of all the water which may be taken from the Niagara River for power purposes could come under the control of a single interest, and any injurious monopoly in the product of that power was thereby guarded against. Under the Alexander bill, if a consolidation of interest between the present users at Niagara Falls already has, or shall hereafter occur, the whole of the 20,000 cubic feet per second authorized by the treaty of May 13, 1910, with Great Britain, could be granted to a single user or to a combination of users. Since electric current has become the most valuable product of hydraulic power, Niagara power will no doubt continue to be used as it now is for the development of that current, and oppressive results may be anticipated to follow from any unregulated monopoly thereover.

The Burton Act treated the use of Erie Canal surplus, arising on the canal levels fed by Lake Erie, for power purposes, as coming within the right of the Federal Government to license. The Alexander bill now proposes to reassert that jurisdiction in the Federal Government. That claim on the part of the Federal Government is unsound as well as unjust to the State of New York. The Erie Canal lies wholly within this State and was built at the sole expense of New York, with the acquiescence of the Federal Congress at the time, and it has since been maintained at vast expense to this State but with great benefit to the country at large. Assuming but not conceding that Congress as against the State could now justly interfere and place a limit upon the amount of water from the Niagara River to feed the Erie Canal, nevertheless such water having once entered the canal passes into an artificial channel wholly within the State and within its natural jurisdiction. The treaty referred to undertakes to place no limit whatever nor to require the Federal Government to limit the amount of water which may be drawn from Lake Erie for the purposes of existing canals in the State of

New York. Who shall use the surplus of the Erie Canal when the water reaches Lockport or other points, even though the source thereof was Lake Erie, and under what restrictions and on what terms, is a matter which should rest with the State of New York alone to determine.

In my opinion, the Alexander bill should be so amended as to prevent a monopoly in the product of the power affected, to remove unnecessary restrictions upon the number of those persons or corporations located upon sites available for use of power, and which may desire to share in its use, and so as to leave New York State with the sole and undisputed jurisdiction to control the use of Erie Canal waters at all points within her own boundaries. The question of the transmission of power originating in the natural waters of the State of New York to points without the State, to the prejudice of New York and perhaps to the prejudice of the United States as well, suggests itself.

I am informed that the terms of the Alexander bill will operate to exclude one company already incorporated by the State from any participation in the power water which may be granted. I find that when the State authorized on its part some years ago the use of the river water for commercial purposes, no limitations were imposed for the protection of the public interest, or consideration exacted for the benefits to accrue to the users.

In view of the importance of this subject and because of the impropriety of my assuming to dispose of it on behalf of the State without consultation with the legislature, I intend to submit the subject to the State legislature and I request that congressional action on the Alexander bill be delayed until the interests and desires of the State may be properly determined and made known.

Respectfully, yours,

JOHN A. DIX.

Mr. CULBERSON. I simply desire to add that in view of the letters of the governor of New York explaining the situation, I have no further objection to the present consideration of the joint resolution.

There being no objection, the joint resolution was considered as in Committee of the Whole.

It was reported from the Committee on Foreign Relations with an amendment, after the word "act" in line 6, to strike out the words "to remain in full force and virtue during the life of the said treaty, save in so far as any portion thereof may be found inapplicable or already complied with" and to insert "for two years or until June 29, 1913," so as to make the joint resolution read:

Resolved, etc., That the provisions of the aforesaid act be, and they are hereby, extended from June 29, 1911, being the date of the expiration of the operation of said act, for two years or until June 29, 1913.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The joint resolution was reported from the Committee on Foreign Relations with amendments to the preamble, so as to make the preamble read:

Whereas the provisions of the act entitled "An act for the control and regulation of the waters of Niagara River, for the preservation of Niagara Falls, and for other purposes," approved June 29, 1906, and extended by joint resolution (public resolution No. 56) for a period of two years, approved March 3, 1909, will expire by limitation June 29, 1911: Therefore be it

The amendments to the preamble were agreed to.

THE CALENDAR.

The VICE PRESIDENT. The calendar will be proceeded with, under Rule VIII.

The joint resolution (H. J. Res. 1) to correct errors in the enrollment of certain appropriation acts, approved March 4, 1911, was announced as the first business on the calendar.

Mr. HEYBURN. I ask that it may go over.

The VICE PRESIDENT. The joint resolution will go over.

LANDS IN THE CITY OF WASHINGTON.

The bill (S. 20) directing the Secretary of War to convey the outstanding legal title of the United States to sublots Nos. 31, 32, and 33 of original lot No. 3, square No. 80, in the city of Washington, D. C., was considered as in Committee of the Whole.

Mr. GALLINGER. The bill has been heretofore read. On page 1, lines 3 and 4, I move to strike out the words "the present," and to insert the words "William H. Rapley and the estate of William W. Rapley."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 237) for the proper observance of Sunday as a day of rest in the District of Columbia was announced as next in order.

Mr. HEYBURN. I ask that the bill may go over.

The VICE PRESIDENT. It will go over.

The bill (S. 291) providing for the retirement of petty officers and enlisted men of the United States Navy or Marine Corps and for the efficiency of the enlisted personnel was announced as next in order.

Mr. PENROSE. I ask that the bill may go over this morning.

The VICE PRESIDENT. It will go over.

The bill (S. 25) to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, pawnbrokers, and real-estate brokers in the District of Columbia was announced as next in order.

Mr. POMERENE. I ask that the bill may go over.

The VICE PRESIDENT. The bill goes over.

The bill (S. 123) to alter the regulations respecting the manner of holding elections for Senators was announced as next in order.

Mr. GALLINGER. Let that go over, Mr. President.

The VICE PRESIDENT. The bill will go over.

PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

The bill (S. 2117) to promote the efficiency of the Public Health and Marine-Hospital Service was considered as in Committee of the Whole.

Mr. SMOOT. On page 2, line 7, after the word "dollars," at the end of the paragraph, I move to add the following proviso:

Provided, That nothing in this act shall be construed to increase the pay of any officer now on waiting orders.

Mr. GALLINGER. It should read, "Provided also."

Mr. SMOOT. Yes; "Provided also," as it follows a proviso. The amendment was agreed to.

Mr. WARREN. Mr. President, I should like to ask the Senator in charge of the bill as to what officers and to what extent or limit the longevity applies, and whether there is a maximum limit below the 40 per cent longevity as to the officers of high rank?

Mr. SMOOT. There is a limit that the amount shall not exceed 40 per cent.

Mr. WARREN. Yes; that is the law now, for instance, as to the Army and the Navy. But for the Army, in the case of the general officers and the field officers, there is a maximum which is less than the regular salary and 40 per cent additional. I want to know if that factor is in this bill?

Mr. SMOOT. Certainly; that factor is in this bill, the same as in the law for the Army and the Navy.

Mr. WARREN. This does not raise the salary and pay of the officers?

Mr. SMOOT. Yes; this bill raises the salaries. The Surgeon General to-day gets \$5,000, and this bill raises his salary to \$6,000, in conformity with the salaries of the officers of the same grade in the Army and the Navy. It raises the salary of the assistant surgeon generals from \$2,900 to \$4,000; the senior surgeons from \$2,500 to \$3,500; the surgeons from \$2,500 to \$3,000; and the passed assistant surgeons from \$2,000 to \$2,500.

Mr. WARREN. Then I am to understand the Senator that this is to bring the salaries of that service on a par only with the salaries of the officers of the Army, and not above?

Mr. SMOOT. That is the object. It does not increase the salaries above those of the same grades in the Army and the Navy.

Mr. President, on page 2 of the bill, line 22, I offer an amendment to strike out "seven" and insert "five," and also to strike out "two hundred."

The VICE PRESIDENT. The Secretary will state the amendment proposed by the Senator from Utah.

Mr. GALLINGER. Mr. President, I want to say just one word, and only a word, on the general purpose of this bill.

This is, as every Senator knows, a very efficient and extremely important service. There has been no change in the salaries of these officers since the year 1889. It is proper that they should be increased, as it seems to me, to the amount provided in the bill. As to the Senator's amendment, I do not quite understand it, and I should like to have it stated so that we may understand it.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, lines 22 and 23—

Mr. GALLINGER. I refer to the first amendment, Mr. President.

The VICE PRESIDENT. To the amendment which has been agreed to?

Mr. GALLINGER. I did not know it had been agreed to. I should like to have it again stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 2, line 7, after the word "dollars," it is proposed to insert the following proviso:

Provided also, That nothing in this act shall be construed to increase the pay of any officer now on waiting orders.

Mr. SMOOT. Mr. President, in explanation of that amendment I wish to say that at the present time there are three surgeons on waiting orders and one passed assistant surgeon on waiting orders.

Mr. GALLINGER. I think the amendment is entirely proper, and I do not object to it.

The VICE PRESIDENT. The amendment last offered by the Senator from Utah will be stated.

The SECRETARY. It is proposed on page 2, in lines 22 and 23, to strike out the words "seven thousand two hundred" and in lieu thereof to insert "five thousand," so as to read:

The allowance for baggage and personal effects to an officer in changing stations shall be fixed by the Secretary of the Treasury, not to exceed in any case 5,000 pounds.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DAMAGE TO LIGHTHOUSE PROPERTY.

The bill (S. 2053) providing for the disposition of moneys recovered on account of injury or damage to lighthouse property was announced as next in order.

Mr. CULBERSON. Let that bill go over.

The VICE PRESIDENT. The bill will go over.

HARBOR REGULATIONS, DISTRICT OF COLUMBIA.

The bill (S. 1072) to amend section 895 of the Code of Laws for the District of Columbia was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with amendments. The first amendment was, on page 1, after line 5, to strike out:

No barge, lighter, or scow owned, controlled, leased, or employed by the owner or lessee of any wharf used for private business, or for any private purpose, and not used for public or general wharfrage, shall be permitted to lie in front of or overlap any adjoining wharf or wharves without the written consent of the owner or lessee of such adjoining wharf or wharves.

The amendment was agreed to.

The next amendment was, on page 2, line 3, before the word "That" to insert "Sec. 895a," and on page 3, line 3, after the word "conviction," to strike out "shall be subject to the penalty provided herein" and insert "shall be punished by a fine not exceeding \$100, or by imprisonment not exceeding six months, or both, in the discretion of the court," so as to make the bill read:

Be it enacted, etc., That section 895 of the Code of Law for the District of Columbia, making harbor regulations, is hereby amended by adding thereto the following:

"Sec. 895a. That it shall be unlawful for any owner or occupant of any wharf or dock, any master or captain of any vessel, or any person or persons to cast, throw, drop, or deposit any stone, gravel, sand, ballast, dirt, oyster shells, or ashes in the water in any part of the Potomac River or its tributaries in the District of Columbia, or on the shores of said river below high-water mark, unless for the purpose of making a wharf, after permission has been obtained from the Commissioners of the District of Columbia for that purpose, which wharf shall be sufficiently inclosed and secured so as to prevent injury to navigation.

"That it shall be unlawful for any owner or occupant of any wharf or dock, any captain or master of any vessel, or any other person or persons to cast, throw, deposit, or drop in any dock or in the waters of the Potomac River or its tributaries in the District of Columbia any dead fish, fish offal, dead animals of any kind, condemned oysters in the shell, watermelons, cantaloupes, vegetables, fruits, shavings, hay, straw, ice, snow, filth, or trash of any kind whatsoever.

"That nothing in this act contained shall be construed to interfere with the work of improvement in or along the said river and harbor under the supervision of the United States Government.

"That any person or persons violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding \$100, or by imprisonment not exceeding six months, or both, in the discretion of the court."

The amendment was agreed to.

Mr. REED. Mr. President, I do not rise to make an objection to the bill, but I should like to know what we are voting on. Those amendments in the form stated at the desk are absolutely blind, and nobody can tell what they mean unless he has a copy of the bill before him. I should like very much if the chairman of the committee which reported the bill would tell us just what it means.

Mr. GALLINGER. The Senator from Washington [Mr. JONES] reported the bill; but I will say that, as I understand, the only change in the existing law is to prohibit the dumping of certain materials in the waters of the Potomac River. Those materials are stone, gravel, and sand, which the present law does not prohibit. That is the only change in the existing law.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LARCENY OF PUBLIC PROPERTY FROM DISTRICT WORKHOUSE.

The bill (S. 1081) to provide for punishment for larceny of public property from the workhouse and the reformatory of the District of Columbia was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with amendments, on page 1, line 3, after the word "that," to insert "whenever"; in the same line, after the word "any," to strike out "larceny as hereinafter provided of"; in line 7, before the word "in," to strike out "any"; on page 2, line 1, after the word "both," to strike out "said" and insert "the"; in the same line, before the word "reformatory," to strike out "said" and insert "the"; in the same line, after the word "reformatory," to insert "of the District of Columbia"; and in line 4, after the word "workhouse," to strike out "whenever any such property"; so as to make the bill read:

Be it enacted, etc., That whenever any property of the United States of America, or of the property of the District of Columbia, either or both, or in the custody or control of the said United States or the District of Columbia, either or both, or in the custody or control of the officers, agents, or employees thereof respectively, in any State or Territory of the United States other than the District of Columbia, which has been or shall be loaned, delivered, given, purchased, provided, or obtained for use at, about, or in either or both the workhouse or the reformatory of the District of Columbia, or which has been or shall be used or employed in any manner at, about, or in either or both said reformatory or workhouse, shall be brought into the District of Columbia, or any other place within the jurisdiction of the United States, by any person who shall feloniously take and carry away the same under circumstances which constitute larceny in the District of Columbia, as provided in the Code of Laws of the District of Columbia, and the amendments thereto, shall be and continue larceny in the district of Columbia, or in any place within the jurisdiction of the United States.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXHIBITION OF OBSCENE PICTURES IN THE DISTRICT OF COLUMBIA.

The bill (S. 2600) to authorize the Commissioners of the District of Columbia to prevent the exhibition of obscene, lewd, indecent, or vulgar pictures in public places of amusement in the District of Columbia, was announced as next in order.

Mr. SHIVELY. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will go over.

CHANGES IN DISTRICT PERMANENT HIGHWAY SYSTEM.

The bill (S. 2599) to authorize certain changes in the plan for the permanent system of highways for that portion of the District of Columbia lying west of Fourteenth Street, south of Taylor Street, east of Rock Creek Park, and north of Newton Street NW., was considered as in Committee of the Whole. It authorizes the Commissioners of the District of Columbia to prepare a new highway plan for that portion of the District lying west of Fourteenth Street, south of Taylor Street, east of Rock Creek Park, and north of Newton Street NW., under the provisions contained in the act of Congress approved March 2, 1893, entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," and an amendment to that act approved June 28, 1893; but section 4 of the amendment shall not apply to the territory above described; and Mount Pleasant Street may be extended with a minimum width of 45 feet; Perry Place may be extended with a minimum width of 50 feet; and Fourteenth Street Road may be established with a minimum width of 50 feet; and upon the completion and recording of the new highway plan it shall take the place of and stand for any previous plan for that portion of the District of Columbia.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FISH-CULTURAL STATIONS ON COLUMBIA RIVER, OREG.

The bill (S. 2775) to authorize the establishment of fish-cultural stations on the Columbia River or its tributaries in the State of Oregon, was considered as in Committee of the Whole. It directs the Secretary of Commerce and Labor to establish two or more fish-cultural stations on the Columbia River or its tributaries in the State of Oregon for the propagation of salmon and other food fishes, and to make the necessary surveys, and purchase sites, construct ponds and buildings, construct, purchase, and hire boats and equipments, and employ such assistance as may be required for the construction and operation of

such fish-cultural stations at suitable points to be selected by him, and the number of such stations to be determined by him; and for these purposes \$50,000 is authorized to be appropriated.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TITLE TO LAND IN THE DISTRICT OF COLUMBIA.

The bill (S. 1899) to repeal a portion of an act heretofore passed relating to the alienation of the title of the United States to land in the District of Columbia was announced as next in order.

Mr. HEYBURN. Mr. President, I think that bill had better go over.

Mr. GALLINGER. I think the bill is all right.

Mr. HEYBURN. It involves a number of properties.

Mr. GALLINGER. Very well; let it go over.

The VICE PRESIDENT. The bill will be passed over.

PUBLICITY OF CAMPAIGN CONTRIBUTIONS.

The bill (H. R. 2958) to amend an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected" was announced as next in order.

Mr. HEYBURN. I ask that that bill go over, Mr. President.

The VICE PRESIDENT. The bill will go over at the request of the Senator from Idaho.

Mr. CULBERSON. Mr. President, I move that the Senate proceed to the consideration of that bill notwithstanding the objection.

The VICE PRESIDENT. The Senator from Texas moves that the Senate proceed to the consideration of the bill, the objection of the Senator from Idaho to the contrary notwithstanding.

Mr. LODGE. Mr. President, so far as I am personally concerned, I am quite ready to vote now on that bill and the amendments to it, but I think it is rather unusual to compel the consideration of a bill in the absence of the Senator who reported it, the chairman of the committee.

Mr. CULBERSON. Mr. President, this is a measure which I think ought to be considered and passed at this session of Congress; and in view of the fact that we shall be engaged almost exclusively on tariff measures, I think we ought to avail ourselves of every opportunity to consider and finally pass this measure.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas. [Putting the question.] By the sound the "noes" appear to have it.

Mr. CULBERSON. I suggest the absence of a quorum, Mr. President.

The VICE PRESIDENT. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Culbertson	Kern	Reed
Borah	Cullom	Lippitt	Shively
Bourne	Cummins	Lodge	Simmons
Bradley	Curtis	McCumber	Smith, S. C.
Bristow	Dillingham	Martin, Va.	Smoot
Brown	Dixon	Martine, N. J.	Sutherland
Bryan	du Pont	Myers	Swanson
Burnham	Gallinger	Nelson	Townsend
Burton	Gamble	Nixon	Warren
Chamberlain	Gronna	O'Gorman	Watson
Chilton	Guggenheim	Overman	Wetmore
Clapp	Heyburn	Page	Williams
Clark, Wyo.	Johnston, Ala.	Penrose	Works
Crane	Jones	Perkins	
Crawford	Kenyon	Pomerene	

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). The senior Senator from Michigan [Mr. SMITH] was called away from the city last night.

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. A quorum of the Senate is present.

Mr. CULBERSON. On the motion to proceed to the consideration of this measure I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CURTIS. Mr. President, some of us were not present when the bill was read. I should like to know what the bill is.

The VICE PRESIDENT. The Secretary, without objection, will again report the bill by its title.

The SECRETARY. A bill (H. R. 2958) to amend an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected."

Mr. CRAWFORD. Mr. President—

Mr. CULBERSON. Mr. President, I understand the yeas and nays have been ordered.

The VICE PRESIDENT. The yeas and nays have been ordered.

Mr. CRAWFORD. I simply wanted to ask a question; that is all. Do I understand that the chairman of the committee who has reported this bill is absent from the city or simply not here?

The VICE PRESIDENT. The question is not a debatable one.

Mr. CRAWFORD. Is not an inquiry of that kind pertinent?

Mr. PENROSE. He is engaged on committee work.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE], who I understand is absent from the city. In the absence of that Senator, I withhold my vote. If he were present, I should vote "nay."

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Arkansas [Mr. DAVIS]. If I were privileged to vote, I should vote "nay," because of the absence of the chairman of the committee.

Mr. GUGGENHEIM (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. PAYNTER], who is unavoidably detained. So I withhold my vote.

Mr. LODGE (when his name was called). I have a general pair with the junior Senator from Texas [Mr. BAILEY]. I do not know how he would vote. So I withhold my vote. If he were present, I should vote "nay."

Mr. McCUMBER (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. PERCY]. I transfer the pair to the senior Senator from New York [Mr. ROOT] and vote "nay."

Mr. MYERS (when his name was called). I have a general pair on political matters with the Senator from Connecticut [Mr. MCLEAN]. I hardly know whether the pair would apply to this vote or not. I do not know how the Senator from Connecticut would vote on this question. So I will concede that the pair might apply to this vote, and I will transfer my pair to the Senator from Nevada [Mr. NEWLANDS] and I will vote. I vote "yea."

Mr. REED (when his name was called). I have a pair with the senior Senator from Michigan [Mr. SMITH]. I transfer it to the junior Senator from Tennessee [Mr. LEA] and will vote. I vote "yea."

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from Delaware [Mr. RICHARDSON]. I transfer the pair to the junior Senator from Maine [Mr. JOHNSON] and will vote. I vote "yea."

Mr. SUTHERLAND (when his name was called). I have a general pair with the Senator from Maryland [Mr. RAYNER]. In his absence, I withhold my vote.

Mr. WARREN (when his name was called). I desire to ask if the senior Senator from Louisiana [Mr. FOSTER] has voted?

The VICE PRESIDENT. He has not.

Mr. WARREN. I am paired with that Senator. I therefore withhold my vote.

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from New Jersey [Mr. BRIGGS]. I transfer it to the junior Senator from Maryland [Mr. SMITH] and will vote. I vote "yea."

The roll call was concluded.

Mr. JOHNSTON of Alabama. I desire to announce that my colleague [Mr. BANKHEAD] is paired with the senior Senator from Connecticut [Mr. BRANDEGEE], and that the Senator from Arkansas [Mr. CLARKE] is paired with the junior Senator from Wisconsin [Mr. STEPHENSON].

Mr. BRADLEY (after having voted in the affirmative). I voted a moment ago under a misapprehension. I find that the Senator with whom I have a general pair, the senior Senator from Tennessee [Mr. TAYLOR], is not present. I therefore desire to withdraw my vote.

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. I transfer it to the senior Senator from Florida [Mr. FLETCHER] and will vote. I vote "yea."

Mr. CRAWFORD (after having voted in the negative). I discover that the chairman of the committee is here now. That was my only objection to proceeding to the consideration of the bill. I desire to change my vote. I vote "yea."

Mr. DILLINGHAM. I withhold my vote because of my pair with the senior Senator from South Carolina [Mr. TILLMAN].

The result was announced—yeas 42, nays 11, as follows:

YEAS—42.

Bacon	Culberson	Kern	Reed
Borah	Cummins	Martin, Va.	Shively
Bourne	Curtis	Martine, N. J.	Simmons
Bristow	Dixon	Myers	Smith, S. C.
Brown	Gamble	Nelson	Swanson
Bryan	Gore	Nixon	Townsend
Burnham	Gronna	O'Gorman	Watson
Chamberlain	Hitchcock	Overman	Williams
Chilton	Johnston, Ala.	Owen	Works
Clapp	Jones	Perkins	
Crawford	Kenyon	Pomerene	

NAYS—11.

Burton	du Pont	McCumber	Smoot
Crane	Heyburn	Page	Wetmore
Cullom	Lippitt	Penrose	

NOT VOTING—38.

Bailey	Foster	Newlands	Stephenson
Bankhead	Frye	Oliver	Stone
Bradley	Gallinger	Paynter	Sutherland
Brandegee	Guggenheim	Percy	Taylor
Briggs	Johnson, Me.	Polindexter	Terrell
Clark, Wyo.	La Follette	Rayner	Thornton
Clarke, Ark.	Lea	Richardson	Tillman
Davis	Lodge	Root	Warren
Dillingham	Lorimer	Smith, Md.	
Fletcher	McLean	Smith, Mich.	

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. HEYBURN. Mr. President, I have but a few words to say in regard to this measure. I voted against the motion to take it up, and I objected to its consideration. I thought that the sentiment of the Senate was so strongly expressed against this legislation on the occasion of a recent vote that there would be no attempt to press it. Only a few days since the Senate, by a large majority, voted to take out of the Constitution of the United States the section under which this legislation only could exist. Of course, if you repeal section 4 of Article I of the Constitution you can not pass any such bill as this, because it is because of the provisions of that section that you are authorized to enact such legislation. I was looking for consistency.

That can not be controverted. No Senator will name any other section of the Constitution or any other provision in it under which this kind of legislation can be enacted. If anyone can name it, I will be very glad to hear it.

Mr. BORAH. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to his colleague?

Mr. HEYBURN. Certainly.

Mr. BORAH. My colleague is in error about the vote being in favor of taking section 4 out of the Constitution. The vote of a majority left it in the Constitution.

Mr. HEYBURN. Well, Mr. President, the vote that will decide it will leave it out.

Mr. BORAH. I am speaking from the record.

Mr. HEYBURN. I was speaking not of the prevailing vote; I was speaking of the number of votes. Let us see. We will not quibble over it. The question is, Are we going to leave section 4 of Article I of the Constitution remain? If we are, we can enact this legislation. If we are not going to allow it to remain, then we can not enact it. That is to say, if section 4 were out of the Constitution, there is no provision under which we can legislate on the subject at all. Now, I should like to know where the consistency is to be found in proposing such legislation as this at this time.

I have been curious to know upon what constitutional provision Senators would rest their support of such legislation.

Mr. CLARK of Wyoming. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Wyoming?

Mr. HEYBURN. Certainly.

Mr. CLARK of Wyoming. I had rather thought I should vote for this provision, but if there is no foundation to rest it upon I want to be informed. I had supposed that the Senate voted to retain that provision of the Constitution upon which this could rest. I certainly voted that way, and I thought I was with the majority.

Mr. HEYBURN. Yes. I am not speaking of what the result of the proposed amendment to the Constitution may be. I am referring to the express opinion in the Senate, and basing some surprise upon it.

Mr. CLARK of Wyoming. Was not the express opinion in the Senate contrary to the opinion now given by the Senator?

Mr. HEYBURN. The committee of which both Senators who have spoken are members, one the chairman and the other a member, reported in favor of eliminating section 4 of Article I.

Mr. CLARK of Wyoming. Yes; and the Senator will remember that while one of the Senators joined in a report to elim-

inate it the other Senator did not join in the report to leave it out.

Mr. HEYBURN. Yes.

Mr. CLARK of Wyoming. And the Senate agreed with the latter opinion.

Mr. HEYBURN. I give the Senator from Wyoming the fullest credit for having—

Mr. CLARK of Wyoming. No; I am simply—

Mr. HEYBURN (continuing). For having not joined with the report of the committee.

Mr. CLARK of Wyoming. I am trying to ascertain just exactly where I stand on this proposition. I want to vote for the bill now pending. I do not want to vote for it if, as the Senator says, the Senate has decided, or it has been decided, to leave out of the Constitution the section of which this is the foundation.

Mr. HEYBURN. Inasmuch as the question is not decided at all yet and is pending in the House, I think I am justified in the suggestion I made. I think it will be conceded that if the amendment passes Congress and goes to the legislatures it will take out of the Constitution section 4 of Article I.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Idaho yield to the Senator from Iowa?

Mr. HEYBURN. Yes.

Mr. CUMMINS. The Senator from Idaho evidently forgets that there has been no proposition to take out of section 4 that part of it which relates to the election of Members of the House of Representatives, and the bill before us relates only to Members of the House of Representatives.

Mr. LODGE. If the Senator will turn to page 5 he will find there:

Every person who shall be a candidate for nomination at any primary election, or for indorsement at any general election, or election before the legislature of any State, as Senator in the Congress of the United States—

Mr. CUMMINS. I did not rise for the purpose of making that correction. I find I am in error about the application of the amendment to the bill; but I believe that if section 4 of Article I of the Constitution were entirely expunged from the Constitution, nevertheless, such legislation as this could lawfully be passed by Congress.

Mr. HEYBURN. On what would it rest?

Mr. CUMMINS. It would rest upon precisely the same foundation as regulations respecting the election of the electors for President and Vice President; and legislation of the same general character has been affirmed and approved and upheld by the Supreme Court of the United States—

Mr. HEYBURN. In what case?

Mr. CUMMINS. With regard to electors for President and Vice President.

Mr. HEYBURN. I think the Senator will find a lack of authority behind that proposition. However, I notice that every time this question has been under consideration—I do not mean this measure, but the principle—much has been said about the laws regulating the election of electors. The provisions of the law and of the Constitution with reference to that matter are separate and distinct and stand upon their own grounds, and it was only calculated to lead the audience away from the consideration of the real question.

I do not intend at this time to make any extended speech on this question, but I merely want to interject into the minds of Senators the inconsistency between those who urge this legislation as being of supreme importance and those who favor taking away from Congress the power to enact it. They can not be right in both propositions. Congress can only do this under the provisions of section 4, making regulations for the election of Senators and Members. If you repeal it, you will find that no law Congress enacts shall provide how a person be elected in a State under State laws can be compelled to abide such control by Congress.

Mr. BORAH rose.

The PRESIDING OFFICER. Does the Senator from Idaho yield to his colleague?

Mr. HEYBURN. I yield.

Mr. BORAH. I did not rise to address my colleague. I thought he was through.

Mr. HEYBURN. I am going to close when I think I have sufficiently interjected the inconsistency of this legislation into the minds of Senators so that they may do what I say in all due respect they have not done before—that is, consider the question. It is very easy to follow a clamor for regulations based upon the assumption that the Members of Congress in both Houses are open to suspicion as violators of the law and must be controlled. It is the play to the galleries, and is based upon an assumption that has no foundation. No Senator here

will stand in his place and charge that any other Senator has been guilty of any of the things that are enumerated in this statute. I will pause until some Senator exhibits that zeal in behalf of his demand for this legislation.

Mr. SUTHERLAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Utah?

Mr. HEYBURN. I do.

Mr. SUTHERLAND. I am not on my feet in pursuance of the last suggestion made by the Senator, but I rose a moment ago to ask him a question with reference to his position concerning section 4 of Article I. Section 4 of Article I is still in the Constitution.

Mr. HEYBURN. Yes.

Mr. SUTHERLAND. It has not been taken out up to date.

Mr. HEYBURN. I know that.

Mr. SUTHERLAND. Does not the Senator think it might be a wholesome example to the country to pass this legislation, under section 4, and thereby demonstrate the necessity of retaining section 4 in the Constitution?

Mr. HEYBURN. Mr. President, inasmuch as I am in favor of retaining section 4 in the Constitution, I will join with the Senator from Utah in any legitimate proposition that will bring about that end. Of course I am very strongly opposed to the elimination of section 4 from the Constitution, because it was put there for a good purpose, and it has served a good purpose.

I thought this a proper and a convenient occasion to point the morals of this class of legislation. If we pass this now we say to the country that we are afraid of ourselves. I do not suppose any Member would acknowledge that he was afraid of himself personally, but he is afraid of his neighbor doing something that is discreditable and that ought to be checked. He is afraid of it, but he is afraid to say that he is afraid of it; that is all. This class of legislation reflects upon the dignity, it reflects upon the intellectual integrity of the Congress of the United States.

Mr. President, when the original legislation was enacted it was vicious enough, but there seems to be a disposition in these times to out-Herod Herod in declaiming against the honesty of those who administer the Government or make its laws. If a Member or other than a Member can rise up and propose some legislation to prevent a Member of the people's chosen representatives from committing a crime he seems to think he has done a great thing, and the newspapers will flash it in large type at the head of their columns. So-and-so introduced a resolution that will hereafter prevent Members of Congress from being criminals. It has become popular. It is a part of the muck-raking spirit of the age. It detracts from the character of the Representatives in Congress, and it is heralded among the schools and among the people of the country as an evidence that Congress itself admits that it needs the restraint of these laws. By implication we say we want to be held to prevent us from violating them by a statute. I will be no party to such a tacit admission of the necessity of being restrained from resorting to criminal proceedings to become a Member of the legislative body. You have got to abandon one thing or the other. You have got to abandon the proposal to strike out section 4 of Article I in the Constitution or you have got to abandon this legislation. Just take your choice.

Mr. BORAH. Mr. President, I am very much in favor of this legislation. I am in favor of it for the reason that I think our elections even to this body ought to be protected against the things this measure is designed to protect against.

I only rose to say, however, that regardless of the question whether section 4 of Article I of the Constitution remains or not, we have ample power to pass this kind of legislation. No one should be discouraged in supporting this legislation by reason of the possible change which may take place with reference to Article I, section 4. We have always proceeded upon the theory that we can protect the purity of election with reference to presidential electors the same as Representatives. We have legislated in the same way and in the same statute concerning both classes of officers to be elected, and the courts have sustained the statute when it has covered both classes of officers to be elected.

I challenge those who seem to think that the Representatives stand upon a different basis from that of a presidential elector, so far as protecting the purity of elections is concerned, to point to any instance in the statute as supported by the courts wherein that distinction is made.

On the other hand, in each and every instance in which this has gone to the Supreme Court it has gone under a statute which protected presidential electors the same as Representatives, and the court has unhesitatingly supported the proposition that whoever or whatever the Federal official might be, the

purity of the election could be controlled and protected in such a way as the wisdom of Congress might deem proper.

For that reason we should not hesitate to pass this class and kind of legislation for fear of a change in the Constitution, because it will not affect the validity, whether it is changed or whether it is not changed, with reference to Article I, section 4.

Mr. BAILEY. Mr. President, I cordially indorse any constitutional measure whose purpose is to discourage the use of money in our elections, and I, perhaps, go further than many of my associates, for I am a firm believer in the right, the power, and the duty of the Government to limit the expenditure of money in elections. I believe the States ought to limit it within their jurisdiction, and I believe that the Federal Government ought to limit it within its jurisdiction, because a man who can not induce the people to give him an important office is generally incapable of filling it.

But while I cordially approve the bill as it came to the Senate from the House, I very gravely doubt the power of Congress to enact the amendment which the committee has reported to the Senate. I am a member of the committee from which the report comes, but I did not happen to attend that session of the committee, being otherwise occupied, and had I been present I would at least have reserved the right to say what I now rise to say.

Without having thought this question thoroughly out, Mr. President, this seems to me to assert not only a power that does not exist in the Federal Government, but a power which is liable to a very gross abuse. This amendment assumes that the power of the Federal Government over a primary election is coequal with the power of the Federal Government over a general election. I can not, at least without a further consideration, subscribe to that doctrine. If we have the power to require the publication of the funds contributed to a primary election, the same as when contributed to a general election, then I do not see any escape—although I may revise my opinion in that respect upon a further consideration—from the conclusion that the power of the General Government over a primary is as plenary as it is over a general election. This amendment seems to imply that, and I must dispute therefore our power to enact it. I can not conceive that the General Government can go down into a State and regulate its primary elections.

As the junior Senator from Idaho [Mr. BORAH] has already suggested, the Federal Government having the right to supervise an election, it may supervise the election completely, notwithstanding State officers are chosen at the same time as Federal officers. That being established by the Supreme Court some of the States of the Union have felt compelled, in order to withdraw their local affairs from Federal supervision, to order their State elections at a time different from their Federal elections.

If Congress should conclude to exercise this power we will then be compelled, in order to escape this same Federal supervision of our primaries, to nominate our State and county candidates at one primary and our Federal candidates at another primary, or else nominating them all at the same primary, the Federal Government will have the power to supervise and control it.

I do not impeach the good faith of Senators hastily. I will not now impeach their good faith. Yet I can not refrain from noticing the fact that the Senators who have persistently and consistently resisted legislation of this kind are the advocates and proponents of this amendment. I do not say all of them are, because some of our own people, in their anxiety to procure a publication touching the general election, have consented to this.

If Senators on that side had not insisted something like two years upon an amendment to the House bill at that time, this bill would not be here to-day.

The Republican majority of the Committee on Privileges and Elections insisted upon an amendment to the House bill which confined the publication to a period subsequent to the election. I protested against that then, and in that protest I was joined by every Democratic member of the Committee on Privileges and Elections. We followed that amendment from the committee room to the open Senate and renewed our protest here, and an examination of the roll call will show that every Democratic Senator, without exception, I believe, voted to require that publication before as well as after the election.

Mr. BURTON. Will the Senator from Texas yield for several questions which I wish to ask, largely to obtain the opinion of the Senator from Texas?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Ohio?

Mr. BAILEY. Certainly.

Mr. BURTON. Is it not conceded that regulations pertaining to registration, the time of holding the polls open, the form of ballot, and so forth, are subjects of Federal law under the Constitution?

Mr. BAILEY. Well, Mr. President, I would question registration. I do not question the power of the Federal Government to appoint registrars under a State law that requires registration.

Mr. BURTON. At any rate, the Federal laws can provide some form of registration. Is not the primary just as much a part of the final selection of Members of Congress, and so forth, as is registration and other regulations which are within the power of the Federal Government?

Mr. BAILEY. Oh, no. The Senator from Ohio will not insist upon that when he gives it his attention. The one is merely a means of identifying the voter and establishing his right to cast a lawful ballot, while the other is wholly a matter concerning a party. For instance, the Senator from Ohio is of such high character and intelligence that I should like to have him in the Democratic Party, but so long as he maintains his present views I would not be willing to have him in the Democratic primary. [Laughter.] The Senator from Ohio is entitled, under any law ever suggested for the control of Federal elections, to vote for a Representative in Congress, but under no rule ever yet suggested by the most visionary advocate of party disruption would the Senator from Ohio be entitled to enter a Democratic primary. The difference between identifying the voter at the general election and the partisan at the primary of his party is as wide as the poles.

Mr. BURTON. The Senator will accept my thanks for his complimentary words. What we are seeking to do, however, is to control the choice so that it may be a fair and an honest choice of the people. Is it not true that in many localities the selection made by the primary is absolutely conclusive, one party being so predominant?

Mr. BAILEY. That is true; but, Mr. President, it is not every regrettable condition in this world that is subject to Federal cure.

Mr. BURTON. Oh, I understand that.

Mr. BAILEY. And the control of a party primary must rest with the State. The Senator from Ohio is not more earnestly opposed to the use of money in elections than I am. I would go, perhaps, further than he would in that direction. I would restrict the right of a man to use money in elections because I am sure that there is no taint matching in its evil effect upon our public life the use of money. I would make it so that a poor man of talent, patriotism, and character could offer himself without being subject to a disadvantage against the richest man in America.

I would make it so that a man's addresses to the judgment and conscience of the voter should control, rather than that subtle and secret influence that addresses itself to the cupidity of the voter. I would make it impossible for any man's bank account to be potential in either a primary or a general election; but our Government is so organized that the primary must be directed by the State, while the Federal Government has ample power to protect its elections for Federal officers against this baleful influence.

Mr. BURTON. One further suggestion. If the right to control the primaries is not granted, must it not be conceded that in any State or district where one party is overwhelmingly in the majority this statute would be absolutely ineffective?

Mr. BAILEY. Well, Mr. President, that is true, assuming that the State itself had no concern for the purity of the ballot. If there is a State in the Union indifferent to the worthy purpose which this bill is intended to advance, then the condition suggested by the Senator from Ohio is undoubtedly true, however unfortunate it may be.

Mr. WORKS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from California?

Mr. BAILEY. I do.

Mr. WORKS. Does the Senator from Texas know how many of the States in which the primary practically selects the candidate for Senator have effective laws of the kind that is now proposed?

Mr. BAILEY. I am not able to answer that question with such accuracy that would justify me in attempting to answer it at all.

Mr. SUTHERLAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Utah?

Mr. BAILEY. I do.

Mr. SUTHERLAND. I understand the Senator from Texas to express some doubt as to whether or not Congress would have the power to supervise the registration of voters.

Mr. BAILEY. Not to supervise the registration, but provide for registration. I mean to say that in a State which requires registration as a condition precedent to voting, undoubtedly Congress would have a right to provide for the appointment of registrars to see that only those qualified under the law of the State to vote actually voted; but for a State which has no registration law, I do not believe Congress would have the right to pass one—

Mr. SUTHERLAND. Congress in this bill is not undertaking to provide that primary elections shall be held, but it is only undertaking to supervise them to the extent that the bill provides in case there are primary elections.

Mr. BAILEY. I fully understand that; but the Senator from Utah will not differ with me in thinking that if you have the right to supervise them you have the right to order them and control them.

Mr. SUTHERLAND. The Senator may be correct about that; but what I was going to suggest to the Senator was that if Congress had the power to supervise the registration of voters, which constitutes merely a preliminary step to the election itself, upon what theory may it not supervise the primary elections?

Mr. BAILEY. That is substantially the same question which the Senator from Ohio [Mr. BURTON] asked me. The difference is this: The Constitution of the United States expressly authorizes Congress to regulate the times, places, and manner of electing Senators and Representatives in Congress, but there is no suggestion in any clause of the Constitution that Congress has the power to regulate the party processes by which its candidates are nominated. If it possesses the power at all, it must derive it from the other power to control the election. If it has the power to supervise a primary election, it would have the power to supervise a convention. Assert that power, and then you not only may be confronted with contests involving the validity and fairness and result of your elections, but you must go one step further down into the States and inquire into the fairness and result of its primaries.

Mr. LODGE. Mr. President, will the Senator from Texas permit me to interrupt him?

The PRESIDING OFFICER (Mr. PAGE in the chair). Does the Senator from Texas yield to the Senator from Massachusetts?

Mr. BAILEY. Certainly.

Mr. LODGE. Under the general power of the Constitution, which the Senator from Texas has just quoted, we are undertaking to supervise the expenditure of money in an election. The expenditure of money is merely incidental; it is neither the time, place, nor manner, but it is purely incidental to the election. Is it not true that the money spent in the primaries is just as incidental to that election as the other?

Mr. BAILEY. Oh, no; there are a thousand nominations to be made which will never eventuate in an election. It is not incidental at all. I am afraid a Democratic nomination in Massachusetts will not be so near an election at times as I would wish it to be.

Mr. LODGE. Mr. President, it seems to me, as the Senator I have no doubt is well aware from observation, that the primaries have added to the election expenses. In many cases the whole expense is in the primaries. So far as my observation has gone, I think more money is spent in the primaries in getting out voters than is spent for the general election. It seems to me impossible to disassociate the final result from the money spent in that way. All of us want to get to that expenditure of money and have it properly returned. In my State we have now, and have had for many years, a very rigid corrupt-practices act, as it is called, which covers both the primaries and the elections; and if we are going to reach campaign expenditures for national offices it is going to be essential in some way to have returns of the expenditures at the primaries as well as at the elections.

Mr. BAILEY. Mr. President, there is no rule of constitutional construction known to the books—I will withdraw that, and will say there is no rule of constitutional construction known to me—under which you can read into the Constitution a power to supervise the action of political parties as either a supplement or an incident to the power of Congress to supervise a general election.

Mr. WORKS. Mr. President—

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Texas yield to the Senator from California?

Mr. BAILEY. I do.

Mr. WORKS. The Constitution now provides that each House of Congress shall be the judge of the qualifications and elections of its Members. Now, conceding that there is no other

provision of the Constitution under which this character of legislation might be enacted, is it not true that for the purpose of determining that question the Congress itself may provide the means by which it may determine whether or not its Members have been legally elected?

Mr. BAILEY. Undoubtedly Congress can determine whether its Members have been legally elected, but it can not determine whether they have been fairly nominated.

Mr. WORKS. That is one of the steps, if the Senator will allow me, necessary under the primary law by which the election may take place.

Mr. BAILEY. Not necessarily within the meaning of the Constitution, because when the Constitution was written and when it was adopted no such practice was known.

Mr. WORKS. Then, if that be true, any State can evade the Constitution by providing practically for the election of Senators at a primary election.

Mr. BAILEY. They do it now; and that is one of the reasons, I will say to the Senator from California, that moved me to favor the joint resolution amending the Constitution with respect to the election of Senators. We have now all the evils, if there are any evils, of a direct election, without the finality—

Mr. WORKS. At all events, if this bill should pass as it came to the Senate from the House of Representatives, we would have one law applicable in one State not applicable in another, dependent upon the question whether one State or the other provided for a primary election.

Mr. BAILEY. Mr. President, we have different laws in all the States to-day, and this bill will not reach those which have no direct primaries.

Mr. KERN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Indiana?

Mr. BAILEY. I do.

Mr. KERN. Does the Senator understand that section 8, or the amendment, undertakes in any way to supervise primary elections in any State?

Mr. BAILEY. No; I have not indicated that to be my opinion. What I am saying is that if we have the power to require publication with respect to the primary, the same as with respect to the general election, we assume the same power over the primary that we possess over the general election; and it has developed here that Senators on the other side all maintain that view.

Mr. KERN. Does the Senator understand that section 8 undertakes to deal not with the election at all, but with the candidate who aspires to a seat in the House of Representatives or to a seat in the Senate, and does not the Senator believe that Congress has the right, each House being the judge of the qualifications of its own Members, to provide such evidence on that subject as it may see fit; in other words, to require a candidate who aspires to a seat in either of these bodies to file a statement as to how much it cost him to come here? That is all that is provided for in section 8. It simply requires a candidate to file a statement as to how much it cost him to get here in case he is successful, and that would be a dead letter if it applied only to the general election in those States or in those districts where a nomination is equivalent to an election. It was the purpose of the committee, I think, simply to deal with the candidates who sought places in either of these bodies. It assumed the power to require them to file statements as to their expenditures. That is as far as section 8 goes.

Mr. BAILEY. Mr. President, I perfectly understand that this amendment does not go to the extent which I have been indicating; but my argument has been that, as desirable as it is—and I think it is desirable—it assumes a power in Congress which Congress does not possess. It assumes that Congress has the same jurisdiction over a primary election that it has over a general election, and I am unable to assent to that proposition.

Mr. BACON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Georgia?

Mr. BAILEY. I do.

Mr. BACON. I do not desire to enter with any degree of thoroughness into the argument, but I want to say to the Senator that, while I have the utmost confidence in his ability, I entirely differ from him on that subject. I do not think that to require this statement to be made involves the recognition of the power to control or regulate primary elections.

Mr. BAILEY. Mr. President, if I could agree with the Senator from Georgia in that respect I would resume my seat and vote for the amendment; but if we have any power at all over primary elections; we have a plenary power.

Mr. BACON. The amendment does not give us any power over them.

Mr. BAILEY. If the Senator from Georgia could persuade me of that, we would have an end of the argument; but the Senator from Georgia has not, of course, failed to observe that every Republican Senator who has made a suggestion with respect to the matter maintains a different view. They maintain that the primary, to borrow the language of the Senator from Massachusetts [Mr. Lodge], is merely incidental to the general election.

Mr. BACON. Well, Mr. President, I am not altogether surprised that Republican Senators should take that view, but I myself utterly differ from that view. I do not think it involves any question of the power over primaries. It simply involves, in my opinion, what the Senator from Indiana [Mr. Kern] has indicated—the right of the Congress of the United States to make such regulations as will enable it when a Senator presents himself here, or a Representative in the other House presents himself there, to determine whether or not that man has been elected by corruption, whether there has been corrupt use of money in his election; and how in any manner that involves the question of the control of the primaries I am at a loss to see.

Mr. BAILEY. To insist that we have a right to inquire into the corruption of the primaries concedes our control over them—

Mr. BACON. No.

Mr. BAILEY. Because if you can inquire into the corruption, then undoubtedly you have a right to prevent the corruption.

Mr. BACON. Not at all.

Mr. BAILEY. Which this is an attempt to do.

Mr. BACON. I do not follow the Senator to that conclusion by any means, that Congress has the right to prevent the corruption in a primary election. You have the right to prevent a Senator from taking a seat here if he has procured it by corruption. But it does not include the right to go into the State and prevent improper acts in a primary election. The Senate has the jurisdiction over the Senator when he comes here to the extent that it may inquire into the question of corrupt practices, if they existed, by which he came here; but the Senate has no jurisdiction to control the manner in which a primary election shall be held.

Mr. BAILEY. In other words, that proceeds upon the theory that he was not elected, and under our power to judge of the returns, qualifications, and elections, we possess that power.

Mr. BACON. I do not even go to that extent, although I know the Senator can find authorities upon which to base that contention. I do not think the fact that we reject a Senator here on the ground that corruption has been used in his election involves the fundamental proposition that he has not been elected. I think we have a right to reject any Senator for any reason we in good faith think proper, and the fact that bribery has been employed is a sufficient reason.

Mr. BAILEY. Does the Senator mean to say that, if I present myself here from the State of Texas, with a certificate under the great seal of that State, it being admitted that I was chosen by the legislature, that I was fairly chosen—

Mr. BACON. Yes—

Mr. BAILEY. That I possess the qualifications of age, citizenship, and residence prescribed in the Constitution, the Senate could for any reason it thought fit exclude me?

Mr. BACON. Under certain circumstances, if it was a matter which involved the question of the bribery of the electors.

Mr. BAILEY. I am waiving that.

Mr. BACON. Will the Senator let me answer the question he has asked me?

Mr. BAILEY. Yes; but that is not my question, if the Senator will permit me. I did not say for bribery. I said for any reason. I understood the Senator to say that the Senate could set a Senator aside for any reason—

Mr. BACON. I was going on to say, and I still say so, but the Senator would not permit me to finish my sentence—I was proceeding to say that there are certain things which could be alleged against a Senator which would vacate his seat and only a majority vote would be required to unseat him. I care not what his credentials are, if after he has come to this body and has secured his seat, things are developed which in the opinion of the Senate render that man unfit to sit here, by a two-thirds vote he could be excluded.

Mr. BAILEY. Not excluded, but expelled.

Mr. BACON. Expelled; it is the same thing.

Mr. BAILEY. Very different, both in law and fact.

Mr. BACON. I will not—

Mr. BAILEY. You exclude a man not legally elected, by a majority; you expel him by two-thirds for misconduct.

Mr. BACON. I will accept the correction of the Senator, although I do not think the differentiation is important. When I said "excluded," I meant "expelled." I was probably unfortunate in the use of language, and I was trying to call the attention of the Senator to the fact that, in my judgment, there are some things which can be dealt with in the Senate by a majority vote. For instance, if it can be shown that a Senator was elected by votes which were corrupted and without which he could not have been elected, that will vacate his seat and he can be turned out by a majority vote. If, on the contrary, it can be shown that he was overwhelmingly elected and that he had bribed one man, we would expel him by a two-thirds vote.

Mr. BAILEY. Oh, no. That vacates his election, according to all authorities.

Mr. BACON. That may be, but still, if it were not so, we could still expel him. I am simply illustrating the point that the Senator suggested—that when a man has presented himself here and has been accorded his seat, he could not thereafter be dealt with without declaring his seat vacant. We can recognize the right of the Senator to sit here and still expel him because, in our judgment, he is unfit to sit here.

Mr. WILLIAMS. Mr. President—

Mr. BAILEY. The Senator from Georgia answers one suggestion and then he raises another question. The inquiry I submitted to him was as to the power of the Senate to pass upon the returns, the qualifications, and the elections of our Members. I never was more satisfied of anything in my life than I am that the qualifications are limited to age, citizenship, and residence.

Mr. BACON. As prescribed in the Constitution.

Mr. BAILEY. As prescribed in the Constitution.

Mr. BACON. There is no doubt about it.

Mr. BAILEY. And a Senator who presents himself, chosen at an election about which there is no question of its fairness, regularity, or result, and who possesses the constitutional qualifications, must be admitted. The Senate has no power, except that power which answers to nobody, to set him aside.

Mr. WILLIAMS. Will the Senator from Texas permit a suggestion by way of supposition?

Mr. BAILEY. Yes.

Mr. WILLIAMS. Children, in order to clarify the atmosphere in an argument, frequently suppose a case. Suppose that in a given case it could be shown that there had been great corruption in the party primary, and suppose in the same case it was shown that at the general election there was no corruption of any sort, that the man was clearly and overwhelmingly and honestly elected; could the Senate go back of the general election to the primary which had been corrupt?

Mr. BAILEY. I do not think it could. The Senator from Mississippi and the Senator from Georgia only within the last few days were not willing to vest Congress with the power to go into the general election to do it, and I strongly sympathized with their feeling in the matter.

Mr. DILLINGHAM. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Vermont?

Mr. BAILEY. I do.

Mr. DILLINGHAM. Will the Senator allow me for just a moment? When this bill was reported yesterday by the Committee on Privileges and Elections it was not supposed that it would be taken up as quickly as has been done. When the motion was made to take it up, eight members of that committee were engaged, under the order of the Senate, in conducting the investigation of the election of the Senator from Illinois [Mr. LORIMER], which they suspended in order to come in and answer to the roll call on that motion.

For reasons which seem to us important the members of the committee are obliged to return at 2 o'clock, and before going I want to make a statement for the committee, not having had an opportunity to do so before.

In reporting this measure the committee had in mind the fact that the movement to make public the campaign expenditures of different political parties is not entirely a new one. In 1907 we adopted a law forbidding national banks and other corporations deriving their powers from the National Government to make campaign contributions—

Mr. BAILEY. I supported it.

Mr. DILLINGHAM. Yes; of course.

Mr. BAILEY. It was reported on my motion.

Mr. DILLINGHAM. Prohibiting corporations, of whatever nature, from making contributions to what may be briefly termed national elections.

Mr. BAILEY. That was reported on my motion.

Mr. DILLINGHAM. Yes. In 1910, in furtherance of the same idea and for the purpose of discouraging large contributions by making public the source from which they came, Congress passed a law requiring reports or statements from political committees to be made within 30 days after such election.

The main feature of the pending House bill is to amend the law of 1910 by requiring reports to be made before the election as well as after, not more than 15 days nor less than 10 days before the election as well as 30 days after, as now provided.

The committee have reported favorably upon that proposition, believing that the country demands the fullest light in relation to the extent of political contributions, the sources from which they come, and the disposition which is made of them. But it seemed to them, in order to make the measure absolutely complete, that it should not stop with national committees or other committees engaged in influencing national elections, but that it should cover the expenditures made by the candidates themselves if they were candidates either for membership in the House of Representatives or the Senate of the United States.

In the proposed new section 8 they have simply extended the same principle and made it apply to candidates as well as committees—the principle upon which was based the provisions already in the law relating to the duties of political committees.

Mr. BAILEY. I think that is right.

Mr. DILLINGHAM. Yes. Now we have carefully avoided, we have avoided just as far as we possibly can, using any phraseology in this bill implying the right of Congress to go further than that in the control of the election of Federal officers in the various States.

Mr. BAILEY. Do you mean elections or nominations?

Mr. DILLINGHAM. Nominations or primaries of any character.

We understand that in certain States the primaries control, in effect, the election of Senators. In other cases candidates go before conventions and secure the indorsement of the convention, which is intended to control the election in the legislature of the State.

There is no attempt in this bill to require anything—I mean under section 8—but a statement from candidates, either for the House of Representatives or the Senate of the United States, of all moneys they have received and expended in pursuance of their own election. That is the purpose of the proposed amendment.

Mr. BACON. Does it include the presidential electors also?

Mr. DILLINGHAM. It does not. Section 8 only relates to candidates for either one branch or the other of Congress.

Mr. BACON. Is there another provision in the bill which relates to presidential electors?

Mr. DILLINGHAM. No; there is no such provision in the bill.

Mr. JOHNSTON of Alabama. Mr. President—

The VICE PRESIDENT. Does the Senator from Texas yield?

Mr. BAILEY. I yield to the Senator from Alabama.

Mr. JOHNSTON of Alabama. I want to say, in addition to what the chairman of the committee so well said, that we were confronted with the desire to have the widest publicity in all these matters; and I confess that when section 8 was before the committee I expressed my doubts then as to the authority of Congress to enact such a law. I expressly reserved the right to vote against this amendment—that part of the amendment—but at the same time I wanted to accomplish the purpose of the amendment, if possible.

Mr. BAILEY. The Senator from Alabama aptly describes my state of mind. I want to do everything that can lawfully be done. But I have never yet seen any good purpose that could be served by either violating or stretching the Constitution of the United States.

Mr. DILLINGHAM. But if the Senator from Texas please, just a word further. I think a majority of the committee held to the opinion that Congress has the same power to compel a person seeking a seat in either body to make public the means—that is, the financial means—through which his candidacy has been furthered that it has to compel any political committee which may be supporting him to make public the receipts and expenditures by such committee.

Mr. BAILEY. I perfectly agree to that when confined to the election.

But here is my trouble: You assume a power to go one step beyond where the Constitution authorizes you to go. The Constitution authorizes Congress to regulate the election, but you assume the right to go down into the primary, and you would have the same right to superintend a convention that you would have in a primary election.

Mr. DILLINGHAM. But, if the Senator please, this bill does not go either into the primary or election or attempt to control anything in connection with either, but simply to make public how much money has been expended and from what source that money was received and to what persons the money was paid.

Mr. BAILEY. But, Mr. President, that is begging the question which I have raised. The question which I have raised here is, Has Congress the power to do with respect to the primaries the same things it may do with respect to a general election? Does the Senator from Vermont assert that power in Congress?

Mr. DILLINGHAM. A majority of the committee, I will say, had no doubt, I think, as to the power of Congress to require such returns to be made as this bill requires of the candidates either for the House of Representatives or the Senate.

Mr. BAILEY. Will the Senator go one step further and answer my question, which is, Does Congress possess the same power to regulate the primary elections that it does to regulate the general elections?

Mr. DILLINGHAM. That question is so broad, because the primary system varies so in the various States, that I would not hazard an opinion upon it. The committee, as I said before, did not look upon this measure as one intended to enter into the control or the management or even the supervision of those elections. But they did intend to require of those who presented themselves for seats in either branch of Congress a statement made to the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, of the amount of money expended by them in pursuance of their candidacy, from what sources it was received, and to what persons it was paid.

Mr. BAILEY. There is not a Senator here who more cordially approves than I do every lawful effort to prevent the use of money in elections; but I care not what the purpose to be served is, it is not wise unless it can be lawfully and constitutionally served.

Mr. BACON. Will the Senator from Texas permit me to make an inquiry?

Mr. BAILEY. Certainly.

Mr. BACON. I wish to ask the learned Senator whether he recognizes the difference between a requirement of a candidate to state the means used by him in his election and the exercise of the power to control the primary election in which he was a candidate?

Mr. BAILEY. Mr. President, except for our authority to regulate the times, places, and manner of the election, we would have no power to pass this bill, and consequently for the purpose of determining the power there is no difference, I answer the Senator.

Mr. BACON. The question I asked the Senator was preliminary to one which he has already answered and which I intended to ask him, and that was this:

Upon what clause of the Constitution does the Senator base the contention for the right of Congress to require this information of a candidate in a regular election? The Senator has just said he based it upon the fourth section of the first article of the Constitution, which gives to Congress the right to prescribe the times, places, and manner of the election of Senators and Representatives.

Now I utterly and entirely differ with the learned Senator in that conclusion. I do not think the power is found there at all, because this is in no manner a regulation of the times, places, or manner of the election. It is simply requiring of a Senator when he comes here information upon which the Senate may determine whether that man is entitled to his seat or whether he shall be allowed to retain his seat even if he was originally properly seated—that is, if he had the proper credentials, the three essentials of which the Senator has enumerated—and in my judgment the right to exact of one elected, claiming a seat in this body or in the other House, this information, is not based upon the fourth clause of the first article of the Constitution, but based exclusively upon the right of the Senate to inquire into the returns and qualification of its Members. That is my judgment about it.

Mr. BAILEY. Mr. President, it distresses me to see a Democrat like the Senator from Georgia undertaking to find a new provision for the exercise of an old power. I venture to say, without having examined the record, that he is now asserting for the first time that our power to pass a corrupt practice act rests upon that provision in the Constitution. The power of the State does not rest there. The power of the General Government can not be made to rest there.

The VICE PRESIDENT. The Senator from Texas will suspend for a moment while the Chair lays before the Senate the

unfinished business, the hour of 2 o'clock having arrived. It will be stated.

The SECRETARY. A bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. BAILEY. I hope some one in charge of the bill will ask to lay it aside for a moment, because I am going—

The VICE PRESIDENT. The Senator from Texas has a perfect right to continue to occupy the floor, of course.

Mr. BAILEY. I know, but I want this measure disposed of. The Senator from Vermont, who is the chairman of the committee which reported this bill, is holding a session of another committee, which he must attend.

Mr. BURTON. I hope the pending measure will not be disposed of to-day. I am as heartily in favor of it as anyone here, and I would desire to add to it rather than detract from it, but it is quite unusual to bring up a measure like this for consideration and final disposition which has not been printed, either the report or the bill, until this morning. I think very likely I may desire to present some amendments to the bill.

Mr. BACON and Mr. CULBERSON addressed the Chair.

The VICE PRESIDENT. Does the Senator from Texas yield, and to whom?

Mr. BAILEY. I yield to my colleague.

Mr. CULBERSON. Inasmuch as the bill was taken up on my motion, having been reached on the calendar under Rule VIII, I desire to say that the Senator from Vermont [Mr. DILLINGHAM], the chairman of the committee, advises me that after 2 o'clock he will be specially engaged, and he desires to be present when this bill is considered. I have no objection, of course—

The VICE PRESIDENT. The bill has been already laid aside, the unfinished business now being before the Senate.

Mr. CULBERSON. I wish to suggest to the Senator from Vermont, however, that the bill ought to be reprinted, so as to be correctly printed. It was reported on the 19th of June, although it passed the House on the 14th of April, and it is incorrectly printed. I invite his attention to that, so that it may be corrected.

The VICE PRESIDENT. The Secretary advises the Chair that it has already been ordered reprinted with the corrections, during the absence of the present occupant of the Chair.

Mr. BAILEY. Mr. President, I am advised that the Senator from Vermont, who is chairman of the committee and who has a right to be present when this matter is discussed, must now absent himself upon some other business of the Senate, and I desist.

Mr. BACON. Before the bill is laid aside I simply desire to say to my distinguished friend from Texas that I hope in the interval his examination may cause him less distress as to my peculiar view in regard to this constitutional function than he is now agitated by.

Mr. BAILEY. If the Senator from Georgia will find me any authority for that peculiar view, and I say peculiar with all deference, I will be very glad to withdraw my opposition, because if there is an authority in Congress to adopt this amendment I earnestly desire to vote for it. I am constrained only by the belief that we are without the power to legislate on this subject.

Mr. President, I know how thankless a task it is to interpose these general suggestions of the want of power against any bill which has a popular support. I suppose I desire to agree with the public as much as any Senator. Though I think I do not yield as readily as some Senators, I am certainly as desirous as any Senator ought to be to agree with the public. I know that there is a universal demand for legislation that shall suppress the use of money in our elections. But until I change my opinion as to the relations between the General Government and the States I must insist that a large part of the good which needs to be done must be left for the States to do. Because I would stand here and oppose a Federal law to punish murder in a State it can not be made the basis of a suggestion that I do not abhor murder and that I would not punish it. But that, according to my doctrine, like nearly all of the other misconduct of this life, is committed not only by the Constitution but by our general scheme of government to the States of this Union, not to the Federal Government.

Mr. BACON. Mr. President, I desire to say that I do not rest with entire acquiescence in the suggestion of the Senator that those who differ from him in this particular are influenced by a disregard in any manner of constitutional obligations or limitations and are controlled in any manner by what may be considered a popular desire.

Mr. BAILEY. I hope the Senator from Georgia will not apply that to himself, for nothing was further from my mind than to make that suggestion with reference to him.

Mr. BACON. Well, the Senator had claimed the virtue for himself that he was opposing it.

Mr. BAILEY. But I will never deny to the Senator from Georgia what I claim for myself.

Mr. BACON. I do not suppose that the Senator does. I simply wish to say that I base my opinion upon what I conceive to be the correct constitutional construction, and I will not go as far as the distinguished gentleman to say that his view is a peculiar view. I think possibly, as it may be viewed in the long run, the one may not be any more peculiar than the other.

I myself regret that I am unable to express in a way to carry full appreciation the view I have, but there is a wide difference between judging of the means by which a Senator or a Representative secured his seat and the question of the control of the machinery of an election, either the regular election or a primary.

I think the two are entirely different. I repeat that I think the power to judge of the regularity of a regular election is under the fourth clause of the first article of the Constitution, which gives to Congress the power to judge of the times, places, and manner of elections; and I am still very strongly of the opinion that the right to require a candidate in a regular election to disclose the means used by him to secure his election, for the purpose of ascertaining whether he has made an undue or an improper or a corrupt use of money, is under the clause which I have cited, which gives to Congress the right to judge of the elections, returns, and qualifications of its own Members. I do not think the Senate, when it comes to consider the question of personal fitness of one to be a Senator, is limited to the three qualifications of age, citizenship, and residence. The Senate may for any reason exclude a man whom they in good faith think personally unworthy to sit here. That is a broad power, which has no limitations to it.

Mr. SHIVELY. The Senate can exclude a man even for the reason that they do not think him worthy of a seat.

Mr. BACON. In my opinion the Senate can rightfully exclude any man whom they think unworthy to sit in this body, I care not how regular his election may have been. For a reason that the Senate shall honestly believe to be sufficient to make a man unworthy to sit in this body the Senate has the right and the rightful power to exclude him. Of course, it is a power which ought to be very carefully guarded and very rarely exercised.

Without detaining the Senate on it, I simply desire to say that recognizing the fact, which we do and must do, that in a great many jurisdictions the primary election is the election and the regular election thereafter is a matter of form, I think that the question as to the propriety of a man's conduct in that primary election is a matter which it is important we should have the opportunity to know about, and I do not think it is in any manner an infringement of the Constitution. For myself, I would desire to see the law embrace the question of expenses in that preliminary election, which, at least in some localities, is the conclusive election.

Mr. BAILEY. Will the Senator permit me to ask him a question?

Mr. BACON. With pleasure.

Mr. BAILEY. There is a test of this matter. Does the Senator from Georgia contend that under our power to judge of the elections, returns, and qualifications of a Senator we could go beyond the legislature and inquire concerning the election of its members?

Mr. BACON. No; I do not by any means.

Mr. BAILEY. And yet the election of members to the legislature is more inseparably connected with the election of a Senator than a primary election.

Mr. BACON. That is doing the very thing which I say we have no power to do. That would be going into the question of the manner of an election of a member of the legislature. I say the right to inquire into the conduct of a candidate in a primary election does not depend upon that part of the Constitution at all.

Mr. BAILEY. Let me take the Senator's own suggestion. Suppose that the most upright Senator in this body—I will not use that expression because there must be no distinction of that kind—but suppose any Senator in this body was elected by two votes, and I could prove that three men elected to that legislature were nominated by fraud and corruption—

Mr. BACON. Of course, we could not go behind that.

Mr. BAILEY. We can not go behind that.

Mr. BACON. Of course not.

Mr. BAILEY. We can not in the exercise of our power which the Senator well says is great, though I can not concur with him in thinking it is so great that it is subject to no limitation, except our own conscience. I think we are limited by certain rules, but that is immaterial in this connection. Asserting the power to be as great as I think it is, and much more if it is as great as the Senator thinks it is, when we come to judge of the returns, qualifications, and elections of our Members, the very power under which he says this is to be exercised, he agrees with me that we have no power to go beyond the legislature and look into the election of its members.

I agree with him, and that has been the uniform judgment of the Senate. I then say that, under that same power, we have no right to go down beyond the general election and inquire into the primary.

Mr. BACON. Mr. President, the Senator's logic is not as good as it usually is. The question between us is whether or not the right to exact certain information of a candidate, or one who has been a candidate and who claims an election, carries with it the right to control and judge of what occurred in the primary election so far as the electors are concerned.

Mr. OVERMAN. Mr. President—

Mr. BACON. I beg that the Senator will let me answer the Senator from Texas first; then I will with pleasure yield to the Senator.

I contend that that can not be done. The Senator contends that if the information can be exacted, it can be done; and as a proof that the Senator is right he then illustrates by the case of the regular election and says that we can not inquire into the sufficiency of the election of the electors, to wit, the legislature, and therefore we can not inquire as to the manner of the primary election.

I entirely agree with him. We can not inquire as to the manner of the primary election. What the Senator puts as an illustration simply proves the contention which I make—that we can not inquire. There is no legal power in Congress to inquire into the primary election, just in the same way as there would be no legal power in Congress to inquire into the election of a man who as a member of the legislature was chosen as an elector of a Senator.

Mr. BAILEY. Would the Senator permit me?

Mr. BACON. If the Senator will allow me one moment, I will finish.

Mr. BAILEY. We are near coming to an agreement now.

Mr. BACON. I think not, unless the Senator is coming over to my side.

Mr. BAILEY. Let me see.

Mr. BACON. Let me finish what I was going to say. To illustrate what I meant, the Senator put one case where the Congress would not have the right to go behind the electors, to wit, the legislature.

Mr. BAILEY. Well—

Mr. BACON. I can suggest another case where you can go behind the election of a Senator by the legislature or behind the election of a Representative by the people. Suppose after a Senator has taken his seat it should be shown that he was a bank embezzler prior to that time, or that he was a murderer, or had committed the most heinous of all crimes, does the Senator say we could not, because that occurred prior to the election, exclude him from this body?

Mr. BAILEY. We could do it.

Mr. BACON. No.

Mr. BAILEY. Because there is no power to restrain us; but we could not lawfully do it.

Mr. BACON. I do not agree with the Senator. I do think we could.

Mr. BAILEY. I think all questions of misconduct are settled by the people when they elect him.

Mr. BACON. In my opinion, not by any means.

Mr. BAILEY. But the Senator will permit me to ask him this question: He says that it is under our power to judge the qualifications of a Member of this body. This bill not only requires the information of the man who is nominated and elected, but it requires it of the man who is defeated as well, and surely we have no power over him under our power of judging of qualifications.

Mr. BACON. I will yield that part to the Senator. I am not contending as to the man who is defeated. I yield that to the Senator, but I do not put it where the Senator does. If I put it under the fourth clause of the first article, I would not yield it, because it would cover it as well as the other, but I do not think it rests under the fourth clause of the first article; it rests under the other, which I have mentioned, which gives plenary power to this body to judge of the fitness of a man to sit in this body.

Mr. BAILEY. The Senator does agree that the only difference between him and me now is merely as to the power to require this information, and he fully agrees with me that we have no power to go beyond that and control the election.

Mr. BACON. I am inclined to think the Senator would be entirely right about that.

Mr. BAILEY. The difference then between the Senator—

Mr. POINDEXTER. Mr. President—

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Washington?

Mr. BAILEY. The Senator from Georgia has the floor.

The VICE PRESIDENT. The Senator from Georgia has the floor. Does he yield to the Senator from Washington?

Mr. BACON. Very well; I will yield to the Senator from Washington, if he desires.

Mr. POINDEXTER. Just on the particular proposition laid down by the Senator from Texas, in which I understand the Senator from Georgia concurs, that the Senate would have no right to go back of the election of members of the legislature, suppose it should be shown that a Senator presenting credentials had, by the use of money, procured the election of members of the legislature, does the Senator mean to contend that it would not be within the power of the Senate to hold his election by the legislature, secured by corruption, invalid?

Mr. BACON. Does the Senator address that question to me?

Mr. POINDEXTER. I was addressing it to the Senator from Texas. I understand, however, that both Senators concur in the same view.

Mr. BAILEY. I was trying to analyze the answer of the Senator from Georgia, and I owe the Senator from Washington an apology for not attending closely to what he said. I was looking at him but I was not thinking of his question.

Mr. POINDEXTER. I should like to have the view of the Senator from Georgia on that point.

Mr. BACON. I beg the Senator's pardon.

Mr. POINDEXTER. I say I would be very much pleased to know the views of the Senator from Georgia upon that proposition.

Mr. BACON. If the Senator from Washington means to ask me whether we could determine the invalidity of the election of members of the legislature, and therefore that the Senator was not duly elected if he received those votes, and they were requisite to him, I should say undoubtedly no, because that would have to rest necessarily under the assumed power of the fourth clause of the first article. But if the Senator goes further and asks whether or not we could deal with that Senator when he came here and exclude him on the ground that he had bribed or secured the election of members of the legislature who afterwards elected him and thereby secured his election, I should say yes, we could exclude him for that reason, because he had rendered himself unfit to be a member of this body. I should put it under the same clause of the Constitution, which my learned friend says is a peculiar view of it.

Mr. BAILEY. I do not think that it is peculiar to judge a man's qualifications under that clause. I only think it is peculiar to regulate the elections under it. Undoubtedly the effort to disclose the amount of money used is an effort not to fix the qualification of Senators and Representatives, but it is an effort to purge all elections of the use improperly of money.

The Senator might take it this way. I can conceive a state of case in which a Senator might spend \$250,000 and not spend a dollar of it corruptly. The Senator can easily imagine that.

Mr. BACON. That would not disqualify him in any way.

Mr. POINDEXTER. Will the Senator permit me there?

The VICE PRESIDENT. The Senator from Georgia has yielded to the Senator from Texas.

Mr. BAILEY. I was only going to say that does not touch his qualification. Now, if I had my way, no man living would be permitted to spend that amount, or a fraction of it, in any election. I would prevent the use of money, honestly or dishonestly, because the honest use of money is a curse to the politics of any State or nation.

Mr. POINDEXTER. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Washington?

Mr. BACON. Yes.

Mr. POINDEXTER. But the Senator says that he is opposed to doing it by this measure because we have no constitutional authority to act, notwithstanding the Senator would be in favor of the bill if we had the constitutional power.

Mr. BAILEY. I am going to vote for the bill. I am simply going to vote against the amendment to the bill; and in that I am following the overwhelming majority of the Democrats of the House, if it be proper to refer to that.

Mr. POINDEXTER. If the Senator concedes that bribery in the election of members of the legislature in a general election, which legislature is to elect a Senator, would invalidate his election, or is a subject about which Congress could legislate, what substantial difference is there under the Constitution if the candidate for the United States Senate should bribe or corrupt the primary election for members of the legislature, which primary election absolutely determines the personnel of the legislature, which, when it is elected by the use of money in such way as is prohibited by the terms of this bill, controls the election of the candidate for the Senate and gives him a seat in this body?

Mr. BAILEY. That argument all comes back to the proposition that Congress possesses the same power over a primary that it does over a general election, because they are inseparable. I suggest to the Senator from Washington that a constitutional power never depends on a state of facts. The constitutional power, of course, must be exercised under a state of facts, but Congress is not clothed with the power to regulate the primary when it is equivalent to an election and not clothed with the power to regulate the primary when it is not equivalent to an election. The power must exist independently of what relation the primary bears to the general election. If it possesses that power at all, it possesses it when and where the primary is not equivalent to an election the same as it possesses it when and where the primary is equivalent to the general election.

Mr. POINDEXTER. Will the Senator yield further?

Mr. BAILEY. Certainly.

Mr. POINDEXTER. The Senator is simply assuming, of course, basing his assumption upon the argument which he is making, that Congress has no power to regulate primary elections. The matters about which we are now inquiring bear upon the question as to whether or not Congress has power to regulate primary elections. It seems to me perfectly obvious—and there is no escape from it in common sense and in law—that the corruption of the election of members of the legislatures during the election and before the election for the purpose of controlling their votes for a United States Senator is equivalent in all respects—morally, legally, and constitutionally—to their corruption after the election, because it has the same effect, for the same purpose, and the Constitution is framed to reach the effect and the purpose and can not be limited by finely drawn and immaterial distinctions as to whether the act is done at one time or another time.

Mr. BAILEY. No, Mr. President; the time as well as the place where men do a given act frequently determines its criminality or its innocence.

Mr. POINDEXTER. Yes; there are statutes of limitation and there are rules as to venue, but neither of those applies to this case.

Mr. BAILEY. No; I do not refer to that. I mean that the same act committed at one time or at one place might be entirely innocent, and if committed at another place it might be an offense against the law.

Mr. POINDEXTER. Mr. President—

Mr. BACON. Mr. President, in order that I may yield the floor I simply desire to say in conclusion of all that I have to say that if I agreed with the Senator from Texas that this power is under the fourth section of the first article I would undoubtedly agree with his conclusion. But I do not agree to that.

Mr. BAILEY. And I will agree with the Senator from Georgia thoroughly that if this amendment can be referred to the clause to which he refers—

Mr. BACON. To the fifth.

Mr. BAILEY. Yes. If he is right in predicating this amendment on that particular clause, then I would go with him. I assume that if I am right in the other position, he would join with me.

Mr. BACON. Undoubtedly. I only claim that under the fourth clause of that first article there could not possibly be any exercise of power by Congress to regulate the times, places, and manner of a primary election.

Mr. BAILEY. There is no very great difference in principle between the Senator from Georgia and myself, then.

Mr. POINDEXTER. I should like to make one suggestion in connection with the inquiry which I just made. Assuming that the use of money in an election of members of the legislature by a candidate for the United States Senate is a proper subject of regulation by Congress, because it determines his election and secures his election by corrupt means in the legislature, what difference is there in its effect upon the result—and that is, What is to be controlled by Congress, what is reached by the

Constitution between that and the use of money in corrupt practices of various kinds which are proposed to be reached by this act to enable the candidate himself to get before the legislature as a candidate? By one means he secures a legislature favorable to his election to the United States Senate. By the other means he secures the possibility of his appearing before the legislature as a candidate, with the corrupt use of money. We are assuming, of course, a violation of the law. As the Senator has just said, which of course is true, a man might expend money in a perfectly legitimate way. No one would contend that it would invalidate the election; but it is the contrary assumption which is material in considering this act. If he should expend a large amount of money in support of his own candidacy to bring himself as a candidate before the legislature, I submit to the Senator from Texas that the effect of it is just the same as though he expended the money to corrupt the legislature.

Mr. OVERMAN. May I ask the Senator from Washington a question?

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from North Carolina for that purpose?

Mr. BAILEY. Certainly.

Mr. OVERMAN. Senators in some States are nominated by the State convention of their party, and the nomination is equivalent to an election. Has the Senate a right to inquire into the methods of the nomination of such a Senator in a State convention?

Mr. POINDEXTER. Undoubtedly they have a right so to do. I would not contend that Congress would have a right to enact a corrupt practices act such as this to reach the corruption of a convention; but I do contend that this Senate, under its power to judge of the election, qualifications, privileges, and return of its Members, if it is shown to the Senate that a candidate has secured his nomination, which is equivalent to an election, by corruption, would have the power to declare his title to his seat invalid on that account.

Mr. BAILEY. Well, Mr. President, I will make a very brief and a very simple answer to the question which the Senator from Washington has propounded to me. That answer is that when bribery is practiced in the election of members of the State legislature the crime is committed against the State; the State ought to punish it; the State can punish it; and if the State does not punish it, it can not confer the power upon us to do so.

Mr. POINDEXTER. Just one word further, if the Senator will yield to me.

Mr. BAILEY. And I utterly deny that the Senate of the United States can go down into the State legislature and inquire into the qualifications and return of its members.

Mr. POINDEXTER. Just one word in that connection.

The VICE PRESIDENT. Does the Senator from Texas further yield?

Mr. BAILEY. I do.

Mr. POINDEXTER. The contention of the Senator from Texas, it seems to me, is parallel to the contention that was made in the election case recently considered by the Senate. The contention was made, at least by one Senator on the committee, that the Senate ought not to inquire into certain matters in connection with that election, because the State had inquired into them; in other words, one man had been put upon trial and acquitted by a jury, and another man had been a candidate for reelection to the legislature and had been reelected. Does the Senator concur in the view that because the State has ignored the corruption of its legislature, this body ought to ignore it and accept as conclusive the action of the inferior officers of the State?

Mr. BAILEY. I think the Senator meant that it went to the weight of the evidence rather than to its admissibility, but I have no right to say what was in his mind.

Mr. President, I feel that I owe the Senate an apology for having detained it with this matter so long, and I owe it the greater apology because I have been arguing upon a doubt rather than a conviction, and it may be that when I have a further opportunity to examine the question I shall agree to what the Senator from Georgia [Mr. BACON] expresses as his view; but it is absolutely certain that I shall never agree that the Congress of the United States, under its power to regulate the times, places, and manner of elections, has the power to go into our States and regulate the conduct of our primaries.

RECIPROCITY WITH CANADA.

Mr. LODGE. Mr. President, I believe the unfinished business has been laid before the Senate.

The VICE PRESIDENT. The Chair will lay the unfinished business before the Senate.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

Mr. LODGE. Mr. President, I was called out yesterday while Senators were still discussing the question of the paper section as affecting the favored-nation clause of our treaties. I regretted very much that I should have been called away, because I wanted to hear what the Senator from Georgia [Mr. BACON] had begun to say on that subject. I was unable to return for some time, and the Senate had then passed to another phase of the question. I wish now merely to repeat the suggestion I then made a little more fully than I was able to do yesterday, when there were many interruptions, and I was drawn off to other points.

I was very far from laying down dogmatically the proposition that the House bill as it stood in section 2 involved an infringement of the favored-nation clause, but it has been suggested to me by such consideration as I have given the subject that it is open to that objection. I am perfectly aware, of course, that the removal of export duties or other similar restrictions in the ordinary case is an equivalent for the admission of the article. Taking, for example, the existing law, you will find there are similar provisions in regard to importations of wood pulp and paper. Those provisions contain, it is true, a retaliatory feature. Of course it has never been suggested by anyone that I am aware of that a retaliatory duty imposed on account of a bounty or an export duty by the other country and conditioned on that bounty or export duty was, if removed, in the nature of reciprocity.

Mr. BACON. Because that is not a consideration.

Mr. LODGE. No; I never heard it suggested. It is true that these provisions of the tariff law of 1909 have in them the retaliatory feature, but at the same time they are good examples of the ordinary form of provisions similar to this one. It is the distinction between this now before us and the others which I wish to point out. The existing tariff law of 1909, for instance, in regard to print paper says:

Provided, however, That if any country, dependency, province, or other subdivision of government shall forbid or restrict in any way the exportation of (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly) or impose any export duty, export license fee, or other export charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise) upon printing paper, wood pulp, or wood for use in the manufacture of wood pulp, there shall be imposed upon printing paper when imported either directly or indirectly from such country, dependency, province, or other subdivision of government, an additional duty of one-tenth of 1 cent per pound.

That is a retaliatory duty, of course; but what I want to call attention to is the fact that that is made dependent on the law of the country and not on the material itself; that is, if there is material that does not bear the bounty or the export duty, it is no more capable of coming in here free than that which does bear the duty, because the condition is that the country shall put on no restrictive duties or export duties or bounties of any kind. When you take the clause in this bill, you observe at once the distinction between this and the ordinary clause. It does not apply to the action of the country; it does not say that all print paper shall come in when these restrictions are removed, but that all print paper or the material of which print paper is made shall come in free, provided such print paper and material do not bear those duties or bounties. If there is a certain wood on which no export duty can be placed, that can come in, although the other wood on which there is an export duty can not come in. It makes the distinction on the actual material used in the article presented at the border and not on the laws of the country or Province.

Mr. NELSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Minnesota?

Mr. LODGE. Certainly.

Mr. NELSON. I agree with the construction of the Senator from Massachusetts, which is that under the word "such"—and I make the statement in order to ask a question—as the phraseology reads there, to put a concrete case, if I or the Senator from Massachusetts own a section of spruce timber land, under this bill the paper made from that spruce timber could come in absolutely free.

Mr. LODGE. Unquestionably.

Mr. NELSON. Without any restriction; and so under this bill there would be no reciprocity.

Mr. LODGE. No; there would be no equivalent for it, ostensible or otherwise.

Mr. NELSON. Here is the question I am coming to, if the Senator will listen to me, which is, that being the case, does

it come within the purview of the reciprocity agreement as negotiated or is it not a step outside of it? That is the point.

Mr. LODGE. I am coming to that in one moment.

Mr. NELSON. I should like to ask the Senator a question. I will state my contention briefly, and if he thinks with me I should like to have him explain it. My contention is that to the extent I have stated it is outside of the purview of the reciprocity agreement that was made between our State Department and the Canadian commissioners.

Mr. LODGE. I agree with that proposition. The agreement was drawn in that way, Mr. President, of course, with a purpose. The language is unusual in articles of that kind. It is drawn so as to separate the print paper and wood pulp made from wood grown on private lands, over which the Provinces have no control, from the wood pulp and the paper made from wood grown on the Crown lands, to which all restrictions and bounties apply. It is quite true that on the best estimate only one-tenth of the supply of pulp wood is to be found on private lands and that nine-tenths of it are on the public lands, and therefore nine-tenths are affected by this clause; but that one-tenth is not affected by this clause. That one-tenth comes in free at once, owing to those little words "such paper."

Mr. NELSON. May I ask the Senator another question in connection with that? I do not wish to do so for the purpose of annoying the Senator—

Mr. LODGE. Not in the least.

Mr. NELSON. But for the purpose of getting at the truth of the matter. Such being the case, as the Senator and I have agreed, would not the enactment of that section amount to a tariff law under which we could not claim that it was reciprocal and that, therefore, the favored-nation clause would apply?

Mr. LODGE. That is the precise point for which I am contending. Now, Mr. President, you can apply the removal of the restrictions to the wood and pulp or paper, or whatever it is to which the restrictions relate, but you can not make the restrictions an equivalent for the wood to which they do not apply, unless you make the provision general, as usually is done in the law.

Mr. BACON. Mr. President—

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Georgia?

Mr. LODGE. Certainly.

Mr. BACON. The Senator will recognize, I presume, that this is an integral part of the bill, and I desire, in view of that fact, to ask the Senator whether, in his opinion, the question of the various provisions of the bill being reciprocal is limited to the case of a reciprocity directly between two articles of the same kind?

Mr. LODGE. The bill is so framed throughout.

Mr. BACON. The Senator thinks that, under the peculiar framework of this bill—

Mr. LODGE. I not only think so, but I can demonstrate that fact by reading the bill; and the President's message shows the same thing.

Mr. BACON. The Senator thinks, from the peculiar framework of the bill, that the question as to the consideration for each concession made by the United States on the one hand or by the Dominion of Canada on the other depends exclusively upon the further question whether the concession in the one case is in consideration of a concession in the other case on exactly the same article?

Mr. LODGE. I have not any question as to that, and this provision is the only exception.

Mr. BACON. Now, the Senator puts the wood pulp and paper provision under the head of an exception, but that, of course, does not controvert the proposition that, as a general rule, all of the concessions on the one side are the considerations for the concessions on the other side.

Mr. LODGE. Unquestionably.

Mr. BACON. And he thinks that in this particular case the proposition for which he contends rests upon the conclusion which he has reached that it is an exception to such general rule?

Mr. LODGE. I do.

Mr. BACON. I am glad to hear it.

Mr. LODGE. Because under the free list every article is balanced off against another. In another table we make identical duties on the same articles. In the third schedule—Schedule C in the message—a group of articles is balanced against another group of articles.

Mr. BACON. That may be.

Mr. LODGE. But this is not in that group; it is not in the list of articles with identical duties; it is not in the free list. Every article in the American free list is balanced against the same article in the Canadian free list, with the single exception

of wood pulp and paper. Wood pulp and paper are in the free-list division. The bill runs perfectly even down to section 2. If you will turn back to page 19, where the Canadian list ends, you will find:

Rolled round wire rods in the coil, of iron or steel, not over three-eighths of an inch in diameter, and not smaller than No. 6 wire gauge.

Where our list ends it ends in precisely the same way. I have no question that each is balanced against the other, but for the item of wood pulp and paper alone you find no balance.

Now, Mr. President, another thing.

Mr. CUMMINS. Mr. President—

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Iowa?

Mr. LODGE. Let me finish the sentence. One other point. If you will turn to the statement of Mr. Fielding, which the Senator from South Carolina [Mr. SMITH] had read on yesterday and which appears in the introduction to the President's message, you will see that Mr. Fielding, in stating his case, expressly refers to the second proviso of the agreement presented by the President as the equivalent for the arrangement which we propose as to wood pulp and paper going into Canada. He did not pretend that the first proviso contained an equivalent. Whether they considered the agreement final or not is no matter; he considered those two provisos as balancing each other, and he refers to them in that way.

Mr. CUMMINS. Mr. President—

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Iowa?

Mr. LODGE. I yield to the Senator from Iowa.

Mr. CUMMINS. If additional articles were put upon the free list so far as their admission into the United States is concerned, and not put upon the free list so far as their admission into Canada is concerned, does the Senator from Massachusetts think that the reciprocal nature of the transaction would be destroyed?

Mr. LODGE. I have not the slightest question of it in a measure framed as this is.

Mr. CUMMINS. Then does the Senator believe that it is necessary that we should give Canada throughout precisely the same terms upon the same articles as Canada gives to us?

Mr. LODGE. Excepting Schedule C, where one group is set off against another.

Mr. CUMMINS. Ah, but I am asking the Senator as a general proposition.

Mr. LODGE. That schedule is not a free list.

Mr. CUMMINS. As a general proposition is it not possible for the United States to say to Canada, "We will give you free admission into the United States upon a long list of articles if you will give us free admission upon one article"?

Mr. LODGE. Yes; but that is not the agreement.

Mr. CUMMINS. I am not speaking about the agreement, but I am speaking about the law. The Senator from Massachusetts is devoting himself to the law. Now, he seems to assume that, in order to escape the operation of the favored-nation clause, there must be an exact equivalent in every article.

Mr. LODGE. Where it is so framed, there must be.

Mr. CUMMINS. Who framed it?

Mr. LODGE. The negotiators.

Mr. CUMMINS. Is it not now for Congress to frame this proposition?

Mr. LODGE. Yes.

Mr. CUMMINS. The President had no power to frame this proposition.

Mr. LODGE. Oh, yes; he had.

Mr. CUMMINS. Under what authority?

Mr. LODGE. Under the treaty-making power—the power to negotiate with foreign nations.

Mr. CUMMINS. Mr. President, at the proper time I intend to discuss that question. I insist that the President has no power to make any such proposition as this to Canada under the treaty-making power, and that it is here for us to make just such proposition to Canada as we think the welfare of the people of the United States demands; and I would be sorry—

Mr. LODGE. That is another proposition.

Mr. CUMMINS. I would be sorry indeed if the suggestion as to international law just made by the Senator from Massachusetts were to receive the approval of the Senate, because I think it is entirely repulsive to the whole practice of the Government as well as to the whole theory of reciprocal trade agreements.

Mr. LODGE. I have not any doubt, Mr. President, of the power of Congress to amend this bill or to amend a reciprocity treaty, if negotiated, and to change it in any way they please; but I understood this measure to relate to making these clauses a part of the agreement with Canada. Whether that is done by

Congress or by the President, if we put anything into that bill for which we have no equivalent and for which no equivalent can be produced, whether nominal or real, I think we open it to the favored-nation clause.

Mr. BACON. Mr. President, if I do not interrupt the Senator—

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Georgia?

Mr. LODGE. Certainly.

Mr. BACON. I want to suggest one view to the Senator. I think the suggestion of the Senator from Iowa [Mr. CUMMINS] completely answers the argument; that is, that it would be perfectly competent for the United States to enter into an agreement by proper legislation—I will not stop to discuss the question whether or not it could be done by treaty, and I do not think the pending agreement is under the exercise of the treaty-making power in any degree—it would be perfectly competent by legislation, if you please, to enter into an agreement in which, in consideration of the entry of one single article free into Canada, we would consent to the entry of a hundred articles into this country, and the consideration would be complete, although it might not be ample. Now, what I want to suggest to the Senator is this—

Mr. LODGE. That would be so if you would change the form of the measure.

Mr. BACON. I want to see whether it is so formed. Of course, the general proposition is that all of the concessions on the one side are the consideration for the concessions on the other; that is, all of them that are found in an agreement of this kind, whether or not that general rule is contravened in the particular section. The question I want to ask the Senator is this: Suppose the second section stopped after the word "duty," in line 19, and read in this way, with the remainder of the section stricken out:

SEC. 2—

After enumerating all the other articles which are involved in the several concessions of the United States on the one side and of Canada on the other, the second clause takes up the enumeration, if I may so speak, or the recitation, and uses this language:

SEC. 2. Pulp of wood mechanically ground; pulp of wood, chemical, bleached, or unbleached; news-print paper, and other paper, and paper board, manufactured from mechanical wood pulp or from chemical wood pulp, or of which such pulp is the component material of chief value, colored in the pulp, or not colored, and valued at not more than 4 cents per pound, not including printed or decorated wall paper, being the products of Canada, when imported therefrom directly into the United States, shall be admitted free of duty—

Suppose it stopped right there and said nothing more.

Mr. LODGE. I think, of course, that would be obnoxious to the favored-nation clause.

Mr. BACON. I do not think there would be any other answer to that question than the one that has been given by the Senator from Massachusetts.

Mr. LODGE. I shall have something more to say about it when I am allowed to proceed.

Mr. BACON. I do not question that.

Mr. LODGE. I yielded to the Senator, but I still have the floor. I believe; at least I have not taken my seat.

Mr. BACON. Very well, I will not pursue the matter.

Mr. LODGE. I will yield to the Senator for as long a time as he cares to go on. Then I will state why I answered the question as I did.

Mr. BACON. The proposition that I submit to the Senator is this: If the section ended with the word "duty," in line 19, upon what principle would that particular concession on the part of the United States be defended when the question came up whether or not there was a consideration for that concession? It would necessarily be defended upon the proposition that the remaining part of the agreement was the consideration for that concession. Now, the question I want to ask the Senator is this: Does the fact that a condition precedent is attached to that particular concession in any manner change its nature except to say this—

Mr. LODGE. A condition does not affect it.

Mr. BACON. Very well. The effect of the condition is this—

Mr. LODGE. Except that the wording of the condition is drawing a distinction between two kinds of paper. That is all.

Mr. BACON. The effect of the condition is this: In the absence of the condition the Senator concedes that the consideration would be ample, or, rather, would be sufficient.

Mr. LODGE. No; I said it would be obnoxious. I said exactly the contrary.

Mr. BACON. Then, I misunderstood the Senator.

Mr. LODGE. The Senator did not allow me time to finish.

Mr. BACON. Very well.

Mr. LODGE. I said it was obnoxious to the favored-nation clause.

Mr. BACON. Very well; I misunderstood the Senator, and with that misunderstanding our differences are very much enlarged, because I utterly differ from the Senator in that regard.

Mr. LODGE. I regret that, but I shall have to bear it as best I may.

Mr. BACON. I always do regret it whenever I differ with the Senator, but I have none the less confidence in the correctness of my view, that the concession in that particular would have a consideration found in the remaining portion of the agreement. I thought that proposition was so plain that we would not differ in regard to it; but if we do differ in regard to it, of course there is no chance to predicate an argument upon it. I had supposed that we had found there a common ground.

Mr. LODGE. I think it would make the matter rather clearer to cut it off there.

Mr. SHIVELY. Mr. President—

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Indiana?

Mr. LODGE. Certainly.

Mr. SHIVELY. Permit me to recur to the point that the Senator has just been discussing. This bill includes a reciprocal free list and a list of reciprocal reductions of duty. Then it has section 3. Now, as a practical question, I submit to the Senator whether the proposition that Canada admits a certain article free and the United States admits the same article free, and that the free admission by the one in the particular case is the only consideration for the free admission by the other, does not involve an economic solecism; that is to say, can the Senator conceive of commodities of the same kind and same quality going in commercial quantities through the customhouse at the same time in opposite ways? In the very nature of things, if this agreement is to be reciprocal, must not the consideration consist of all the concessions made on each side in exchange for all the concessions made on the other side? In practice there can be no reciprocity on the theory that precisely the same kind of an article will be going at the same time through the customhouse into Canada and coming through a near customhouse from Canada. It is true, with the long divisional line between the two countries, an article may be an import at one point and an export at another; but, relating to the same border point, does not the idea of reciprocity on each particular item involve a practical impossibility, a commercial absurdity? And in case the article placed upon the reciprocal free list or subjected to reciprocal reduction of duty is possible of production by only one of the parties to the agreement, what reciprocal consideration sustains the agreement as to such article?

Mr. LODGE. Mr. President, undoubtedly there would be nothing whatever in this point if this measure were framed as all our reciprocity treaties have been framed and as Schedule C is framed in the President's message, where Canada makes special duties on a certain group of articles and we make special duties on a certain group of articles, and neither the articles nor the duties correspond; they are set off, one group against another. But this bill is made up item by item, as set forth in the agreement made by the negotiations, and upon this bill and nothing else we are now voting. Typesetting and typesetting machines, for instance, are set off against typesetting and typesetting machines; and so all through. You can find nowhere in that bill any consideration for making pulp of wood, ground, and print paper free.

Mr. SHIVELY. On the theory of all the concessions on one side being the consideration for all the concessions on the other, is not the manner of statement in this bill the most convenient way to state the agreement?

Mr. LODGE. Undoubtedly, if the bill was made in that way, this which I am pointing out would be of no importance. But it is not made that way. They carefully balance one thing against the other all the way down until they get to this article. Then they put it in a second section.

If the Senator will allow me, I will make a suggestion at this point for the benefit of those who have been thinking that there is no chance of the favored-nation clause applying, and which I have not heard them make themselves. Canada has put into her bill what was in the President's agreement submitted to Congress. That is, the provision for our paper going in under certain conditions. I do not think it is really of any economic value to us. But under certain conditions paper may go into Canada free. That is in the Canadian bill, although it is not in ours, and what makes me doubt whether this clause as it stands would be obnoxious to the favored-nation clause is the presence in the Canadian law of that clause, omitted

from this bill as sent in by the President, because if the bill become law, it will be possible for us then, when the claim is made on the favored-nation clause—and it is going to be made by many countries under this bill—we can say that the compensation is in the Canadian act. I do not know that that would hold. I am not quite so absolutely sure about this matter as my friend the Senator from Georgia [Mr. BACON]. I have some doubt not only of his opinion but of my own, and I have very grave doubts about the views of other countries with which we have treaties. I suspect that they may not agree with the Senators who think that there is nothing in this point.

Mr. NELSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Minnesota?

Mr. LODGE. I yield.

Mr. NELSON. If the Senator will allow me, if it is not disagreeable—

Mr. LODGE. Not in the least.

Mr. NELSON. I will call his attention to the fact that section 2 is utterly outside of the scope of the agreement made by the President, through the Secretary of State and the commissioners of Canada.

Now, let me read from this document, as sent in by the President, January 26 last. In paragraph 10, on page 2, of the communication of the Canadian commissioners there is this statement:

The provisions you are proposing to make respecting the conditions upon which these classes of pulp and paper may be imported into the United States free of duty must necessarily be for the present inoperative.

The final sentence of that paragraph reads as follows:

Whenever pulp and paper of the classes already mentioned are admitted into the United States free of duty from all parts of Canada, then similar articles, when imported from the United States, shall be admitted into Canada free of duty.

Mr. LODGE. That is—

Mr. NELSON. In reply to that, I wish to call attention to what Mr. Knox, Secretary of State, says:

It is a matter of some regret on our part that we have been unable to adjust our differences on the subject of wood pulp, pulp wood, and print paper. We recognize the difficulties to which you refer growing out of the nature of the relations between the Dominion and Provincial Governments, and for the present—

I call the attention of the Senator from Massachusetts to this language:

And for the present we must be content with the conditional arrangement which has been proposed in Schedule A attached to your letter.

Now, what is that? Let us read and see what that is, and that will explain the whole thing.

Mr. SHIVELY. If it will not interrupt the Senator, I will ask him from what is he reading?

Mr. NELSON. I am reading from what is attached to the letter of Messrs. Fielding and Paterson, on page 5. This is a part of the proposition of Messrs. Fielding and Paterson:

Pulp of wood mechanically ground; pulp of wood, chemical, bleached or unbleached; news-print paper, and other paper, and paper board, manufactured from mechanical wood pulp or from chemical wood pulp, or of which such pulp is the component material of chief value, colored in the pulp, or not colored, and valued at not more than 4 cents per pound, not including printed or decorated wall paper.

That is on the free list.

Provided—

I want to call the attention of Senators to these two provisos:

Provided, That such paper and boards, valued at 4 cents per pound or less, and wood pulp, being the products of Canada, when imported therefrom directly into the United States, shall be admitted free of duty, on the condition precedent that no export duty, export license fee, or other export charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise), or any prohibition or restriction in any way of the exportation (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly) shall have been imposed upon such paper, board, or wood pulp, or the wood used in the manufacture of such paper, board, or wood pulp, or the wood pulp used in the manufacture of such paper or board:

Provided also—

Now, here is the next proviso, on page 6:

Provided also, That such wood pulp, paper, or board, being the products of the United States, shall only be admitted free of duty into Canada from the United States when such wood pulp, paper, or board, being the products of Canada, are admitted from all parts of Canada free of duty into the United States.

The second section of this bill, if the Senator will allow me, is utterly outside of the scope of this agreement in every point and particular. It is a new matter that has been injected into the bill, and is pure and simple tariff legislation, without any reciprocity agreement as the basis of it. Neither the President nor anybody else has the right to insist that section 2 is carrying out any bargain that we have made with Canada. And for the President or anybody else to say that "you can not amend section 2 because it is what I have agreed to with Canada" is

utterly groundless and without any foundation, because section 2 of this bill is outside the treaty entirely in that particular, and is outside of it just as much as though the President had never had any negotiation at all.

Mr. CUMMINS. This is very interesting. I suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Iowa suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Clark, Wyo.	Heyburn	Poindexter
Bailey	Crane	Hitchcock	Pomerene
Borah	Culberson	La Follette	Shively
Bourne	Cullom	Lodge	Smith, Md.
Bradley	Cummins	McCumber	Smith, S. C.
Bristow	Curtis	Martin, Va.	Smoot
Brown	Dixon	Nelson	Sutherland
Bryan	du Pont	Nixon	Swanson
Burnham	Foster	O'Gorman	Warren
Burton	Gallinger	Overman	Watson
Chamberlain	Gore	Page	Wetmore
Chilton	Gronna	Penrose	Williams
Clapp	Guggenheim	Perkins	Works

Mr. POINDEXTER. I desire to state that the senior Senator from Washington [Mr. JONES] is engaged with the Lorimer investigating committee.

Mr. PAGE. My colleague [Mr. DILLINGHAM] is engaged in the Lorimer investigation, and is necessarily absent.

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. A quorum of the Senate is present.

Mr. LODGE. Mr. President, I shall detain the Senate but a moment or two longer. I brought this matter up not because I am confident that this paper section as it stands is obnoxious to the favored-nation clause, although I think I see a manner in which it might be held to be very strongly obnoxious to that clause. I have brought it up because it is absolutely certain that foreign nations are going to make claims under the favored-nation clause in regard to this arrangement with Canada.

Mr. BACON. Will the Senator pardon me if I make a suggestion?

Mr. LODGE. Yes.

Mr. BACON. Conceding, for the argument, that the Senator from Massachusetts is right, would not the whole matter be cured by the simple insertion of a statement to the effect that the concessions on one side are regarded as the consideration for the concessions on the other?

Mr. LODGE. Certainly; and if the Senator will undertake to amend this bill I should be delighted to join in anything of that sort which would put it beyond doubt.

Mr. BACON. Possibly the Senator would like to see it amended.

Mr. LODGE. No; I do not want to see it amended with anything outside of the agreement, as that would be. We have had a great many cases in the past on treaties which seemed to me obviously outside the favored-nation clause. We had it with Hawaii, in the sugar treaty. We had it in the Cuban treaty of reciprocity. It has occurred again and again.

Now, it is very desirable to avoid these contests with foreign nations, if possible. It is desirable to avoid these claims for equal concessions. It is not in the least that I am disturbed, as the Senator from Nebraska [Mr. BROWN] suggested, at the amount of paper and pulp that will come in from other countries. There are very few countries in the world which make wood paper and pulp, and still fewer which have any surplus to export. It was testified before us by Mr. Herman Ridder, recently, the president of the Newspaper Publishers' Association, that it was not practical for them to get paper from Sweden and Norway, which are really the only exporting countries there are; that it was not practical for them to get it there, because it was too distant for paper. They could get wood pulp, but not paper; but that for newspapers, for their immediate demand, they had to have their paper supply very near, and the amount that those countries could export would be small.

It is not that which is disturbing me. It is because it seems to me so desirable not to make this treaty, this arrangement, this bill, as proof as we can make it against claims from foreign nations.

The Senator from Idaho [Mr. HEYBURN] has been kind enough to call my attention to the agreement with Japan, made in 1894, which has been superseded by our recent treaty, but which contains the same clause. I should like to read it to the Senate to show how far the doctrine of the favored-nation clause goes. Article 14 of the treaty with Japan of 1894 provides:

The high contracting parties agree that in all that concerns commerce and navigation any privilege, favor, or immunity which either high contracting party has actually granted, or may hereafter grant, to the Government, ships, citizens, or subjects of any other State, shall be extended to the Government, ships, citizens, or subjects of the other

high contracting party gratuitously, if the concession in favor of that other State shall have been gratuitous, and on the same or equivalent conditions if the concession shall have been conditional; it being their intention that the trade and navigation of each country shall be placed in all respects by the other upon the footing of the most favored nation.

Now that goes on—and there are other treaties with the same provision, with the favored-nation clause, laying down the undoubted law, as we hold it, about the concessions being gratuitous—to make provision that if concessions are made to other nations on conditions, they can have the same concessions on the same conditions.

Therefore, Mr. President, I have tried to make my point clear on this, and, as I say, my only object is to retain the agreement as it was made by the American and Canadian negotiators—whatever defects may have been in it—and the clause which has been omitted gives us really nothing. They at least, as diplomatists engaged in framing an agreement, understood the importance in a negotiation of this kind of making every item balance, or at least leaving no item without an express equivalent. The President has said that the Root amendment is in exact conformity with the agreement. In Canada it was received with approval.

Mr. Fielding, who negotiated the treaty, said that he thought the Root amendment made the treaty clearer, and he approved it, and the feeling in Canada—I am quoting from a dispatch from Ottawa which appeared the day after the report of the committee—is that they wanted the passage of the bill just as the Senate committee reported it.

The author of the amendment, who is not here now, offers it in no spirit of hostility. I voted for it in committee. I did so in no spirit of hostility. I think it will make the agreement better and stronger; otherwise I should not vote for it. I shall vote against all hostile amendments. I shall vote for the measure for general reasons, and for the principal reason that I think in the long view it is going to be of great advantage to draw Canada and the United States closer together.

But I do not desire to enter upon that phase to-day. At some later time in the debate I may have a little to say, but I only desired now to make it clear that there were some doubts raised by the present form of the agreement, as passed by the House, and that it was well to be on our guard and not take unnecessary risks of embroiling ourselves with other nations while we are trying to make a mutually beneficial agreement with Canada.

Mr. CUMMINS. Mr. President, I believe the amendment was postponed until to-morrow?

Mr. LODGE. Yes.

Mr. PENROSE. Until to-day.

Mr. LODGE. No; it was passed over until to-morrow.

The VICE PRESIDENT. It was passed over temporarily—

Mr. PENROSE. Until Wednesday?

The VICE PRESIDENT. No—

Mr. PENROSE. I understood only for the calendar day of yesterday.

The VICE PRESIDENT. The Chair thinks that was the understanding; that it was passed over for the legislative day; but the Senator from New York [Mr. Root] gave notice that he would address the Senate upon the subject of that amendment and the bill in general to-morrow.

Mr. PENROSE. I did not expect a vote on it to-day, but only wanted to correct a statement that the amendment was not pending to-day. I understand it is.

The VICE PRESIDENT. The Chair so understands.

Mr. CUMMINS. Then if it is pending to-day, there being no further debate upon it, will there be a vote?

Mr. PENROSE, Mr. McCUMBER, and others. No.

Mr. PENROSE. The intention is not to ask for a vote to-day, because the Senator from New York has given notice to the Senate that he desires to address the Senate to-morrow on the pending amendment.

Mr. CUMMINS. Very well. I shall probably submit some observations on the amendment, not now, but after the Senator from New York has presented his views.

I present certain amendments to the bill, which I ask may be printed and, when printed, laid on the table, to be offered to the bill at some appropriate time.

The VICE PRESIDENT. The Senator from Iowa presents certain amendments to the bill, which will be printed and lie on the table, according to his request, if there be no objection. The Chair hears none, and it is so ordered.

Mr. CUMMINS. I make a further request with regard to these amendments, because they are somewhat extensive and will, if adopted, change in some respects the concessions granted by the United States to Canada. My request is that the copy of the bill be printed as it would be with these amendments adopted, so that there can be a continuous reading of

the amendments in connection with that part of the bill to which they are related, and the parts to be stricken out to be denoted by lines through the text and the part offered to be indicated by italics.

The VICE PRESIDENT. Is there objection to the request of the Senator from Iowa? The Chair hears none, and it is so ordered.

Mr. HEYBURN. Mr. President, it is not my intention to take up this measure for extended discussion to-day, or to enter into the merits of it in detail or by comparison. But since yesterday seemed to be devoted to the statement of the position of the several Senators who occupied the time of the Senate, I desire at this early day, in order that I may not be misunderstood at any time during the consideration of this question, to state my position with reference to the proposed amendments.

I am unalterably opposed to the legislation; I am opposed to the treaty in support of which the legislation is proposed, and my opposition is not based primarily upon the details of the articles included within the measure. My objection begins with the statement of the principle that I am in favor of a protective tariff policy as a discriminating measure of legislation in favor of the whole country, without local application, because I regard it as a policy of government rather than one of barter and trade.

Entertaining that view, that a discriminating protective tariff is a policy of government, then I am bound to oppose this entire proposition, not because by a comparison of the rates or the difference of duty it may affect the wheat crop in one State or the cattle in another, but because it opens the market of the American people to the stranger, and the first effect of that is one of displacement in our market. I attach very much more importance to the question of displacement in our market than I do to the question of the difference of duty. If a foreigner sells a million bushels of wheat or a million dollars' worth of any commodity in our market, it means that the opportunity for our own citizen to sell the equivalent of that is lost and gone forever; that instead of the money being paid to our own citizen for the million bushels of wheat, it will be paid to a foreigner and the money will go out of the country and the wheat will come in to displace that opportunity to our own producer.

I am not going to vote for the Root amendment because it recognizes the validity, if I may use the word, of the bill itself. You can not amend this bill so that it will not, to the extent that it covers, destroy the American market. You might perhaps reduce to some extent the disadvantages of this bill by an equivalent to be gotten through the Root amendment, but the equivalent is so insignificant as compared with the whole item that it is not worth considering.

I will not vote to put anything on the free list in resentment of this proposed legislation. I am opposed to free trade either as a governmental policy or as a weapon with which to compel our people, or any part of them, to yield up the great principle of the protective tariff. I propose, so far as my action is concerned, to be true to the principle of a protective tariff policy such as the Republican Party has stood for without any compromise; and I shall not therefore vote for any amendment to this bill, whether with a view of lessening its evils or of striking at those who favor it in the spirit of resentment. In order that no one who may expect me to vote for an amendment that has that spirit behind it may be mistaken I desire—

Mr. NELSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Certainly.

Mr. NELSON. I think the Senator from Idaho will admit that the amendments I have offered, with which the Senator is familiar, are not in that spirit. I have offered an amendment to put the agricultural products of the country on the Canadian bill at reduced rates, about 50 per cent. It preserves a limited amount of protection, and there is nothing hostile to the spirit of true reciprocity in that.

Mr. HEYBURN. My objection to the amendment of the Senator from Minnesota is that it undertakes to cut in two the rights of our people. He says, "I will not utterly destroy you; I will reduce you from three meals a day to one." Now, that does not appeal to me. The measure of protection that the American people are entitled to is that which will give the American producer the American market, and all of it. Every dollar of competitive product that comes in displaces the opportunity of the producer in our own country. This being regarded as a principle, it can only be placed upon that foundation. If it is a question of barter and trade, then it is this: You trade wheat, oats, and barley for meat and corn, or something else. That, in my judgment, is not the protective-tariff policy. This

Government had its origin in the necessity for protective-tariff legislation.

The object and purpose of those who came together to frame the Constitution—they did not come together to frame the Constitution, but they came together—and that coming together resulted in the framing of the Constitution, to regulate commerce. That was their declared and avowed purpose. They had commercial wars across the rivers between the States. When they came together and looked at this proposition, they arrived at the conclusion I have expressed, and that I now express, that the policy is either one of government or it is no policy at all. There can be no policy in trade or barter in regard to items. That is not policy; it is procedure.

Mr. President, looking at the question from this standpoint, I am unable to see how Republicans who have throughout a lifetime avowed themselves to be the adherents of a policy of government, can degenerate into hucksters in the products of our people. The product of the American people is the living of the American people. It is the support without which we could not be a people; we could not be a government; we would be in no better condition than the Indians, who traded in pelts and skins before we came.

It is as absolutely necessary to the cohesion of the American people as a government that they stand together as against other nations of the earth as it is that they have the right to use the soil, the attributes, and the resources of the land in which they live. Those are natural rights. The American people have a right to dwell upon, to cultivate, and to reap the benefit from dwelling upon and cultivating the soil. They have a right to the use of the forests and the mines and the rivers of the country in which they live, and from these uses they derive their livelihood, and their prosperity is measured by the manner of their use.

Mr. GALLINGER. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New Hampshire?

Mr. HEYBURN. Certainly.

Mr. GALLINGER. It is refreshing to me, Mr. President, to hear some talk in this debate along protection lines. I know that those of us who stand for the principles of the Republican Party as enunciated in the days of George Washington and Abraham Lincoln are apparently in the minority, but I am delighted to know that there are yet some Senators who are not terrified at the existing condition of things.

Mr. President, I want to ask the Senator from Idaho if we are to adopt the policy of this so-called reciprocity agreement, which is a misnomer so far as Canada is concerned, if there is not an equal reason why we should extend it to the Republic of Mexico, our neighbor on the south.

Mr. HEYBURN. I would say that as I read the commercial treaties with Mexico we will be bound to do it.

Mr. GALLINGER. I think so. But I want to ask the Senator further, as we hear a great deal of talk these days about affecting a union with the English-speaking peoples of the world, and especially Great Britain, a treaty I think now pending that it is said will bind us closer to the mother country, inasmuch as that country gives us free trade is there not greater reason why we should extend the free-trade principles of this so-called agreement with Canada to Great Britain and her colonies?

Mr. HEYBURN. Mr. President, whatever we have received from Great Britain we have taken on the point of a bayonet. We never took it from the open hand of charity or affection.

Mr. GALLINGER. That is undoubtedly true in a broad sense, but I am now speaking as to our economic relations with that country as well as other countries of the world. If, in other words—

Mr. BACON. Mr. President—

Mr. GALLINGER. I will finish my sentence. If, in other words, there is any obligation upon us along any lines to give Canada access to our markets upon more favored conditions than we extend to other countries, why should we not extend that privilege to other countries?

Mr. HEYBURN. Mr. President, there is no reason why we should differentiate in favor of Canada, and there are many reasons why we should be more careful in guarding our doors against the menace close at hand than there is for guarding it against one across the sea.

Mr. GALLINGER. Mr. President—

Mr. NELSON. Will the Senator from Idaho yield to me?

Mr. HEYBURN. As soon as the Senator from New Hampshire concludes.

Mr. NELSON. I want to say to the Senator from New Hampshire—

The VICE PRESIDENT. The Senator from Idaho says he will not yield just now.

Mr. HEYBURN. I have yielded to the Senator from New Hampshire, and if the Senator from Minnesota will wait a moment until that courtesy is complete, then I will be pleased to yield to him.

Mr. NELSON. Mr. President, I wish to say in answer—

The VICE PRESIDENT. But the Senator from Idaho says he will not yield at this time to the Senator from Minnesota.

Mr. HEYBURN. If the Senator from New Hampshire desires to yield in favor of the Senator from Minnesota I have no objection.

Mr. GALLINGER. I will be pleased to yield to the Senator.

The VICE PRESIDENT. The Senator from Minnesota will proceed.

Mr. NELSON. I wanted to answer the question of the Senator from New Hampshire why we should not extend this privilege to other countries. I can only see one prospective benefit in this reciprocity agreement. It may lead to Canadian annexation. We can not hope to annex all the rest of the world, but if we can annex Canada we will accomplish a great deal.

Mr. GALLINGER. Canadian annexation is "an iridescent dream," to use the phrase of a distinguished Senator now dead. There was a time when that was very seriously considered by leading men in Canada, as I chance to know, but that is past. Canada has become a strong, vigorous, self-assertive nation, and we propose in this so-called reciprocity agreement to make Canada stronger and more vigorous and more self-assertive than she is to-day.

I was struck on yesterday by an observation made by the Senator from Nebraska [Mr. Brown]. I will detain the Senator but a moment. I thank him for his courtesy. It was in reference to the free entry of paper and wood pulp from Canada, when he said he would extend it to all the nations of the world; that is to say, that the paper and wood pulp from Finland, from Norway, and from Sweden should come into this market and absolutely destroy every paper-making industry in the United States. That would be the inevitable result. Yet the Senator from Nebraska is in favor of that.

If we are going into this business, Mr. President, I can see but one ultimate result, and that is, as the Senator from Idaho has suggested, perhaps not in words, that with some Republican help and with Democratic advocacy, perhaps wisely on the part of our Democratic friends from a party standpoint, we are taking out the foundation stone of the protective policy when we pass this bill, and we will be fortunate indeed as a Nation if the entire structure is not destroyed before we get through with our work.

Mr. HEYBURN. I yield to the Senator from Georgia [Mr. Bacon].

Mr. BACON. Mr. President, I dislike to interrupt with something which may not be directly in connection with what the Senator from New Hampshire has just said, and what the Senator from Idaho has been discussing. However, I am unwilling that too much of the space of the RECORD should be occupied in the interval between the remarks of the Senator from Idaho in regard to England and the assertion on the part of the Senator from New Hampshire that what the Senator said is true, without there appearing a contention to the contrary of that. I think such a statement is a grave matter in view of our relations with England. The Senator from Idaho said that we owed her nothing; that we had never received anything from England that we did not get at the point of the bayonet.

Mr. HEYBURN. I spoke of governmental matters.

Mr. BACON. I know, but the Senator did not qualify it. The Senator spoke in most unqualified language, and the Senator from New Hampshire in equally unqualified language said "that is true."

Mr. GALLINGER. But, Mr. President, I did qualify my observation, as the RECORD will show, by saying that what I had reference to was economic matters; and the Senator's statement that we had received nothing in a governmental way from Great Britain except through the sword I did assent to.

Mr. BACON. I do not know what we have ever gotten from England in the sense the Senator speaks of, by the sword, except the fact that we achieved our independence; and that is a long time ago for the remark now to be made that we have nothing from England except that which we have gotten at the point of the sword. I think we have more to enjoy which we have received from England than we have from all the other nations of the earth put together.

Mr. GALLINGER. If the Senator will permit me, Mr. President, we achieved our independence and we continued our independence, and if England had had her way in 1862 our Nation

would have been destroyed, because she gave all the aid and comfort she could give to those who were attempting to destroy our Government.

Mr. BACON. The greatest criticism I have to make on England is that she did exactly the opposite thing. All that England had to do was to then lift her hand and the result the Senator speaks of would have been accomplished. However, I am not going into that discussion. I am perfectly content with the disclaimers of both Senators as to their purpose in what they said of England. I was unwilling that such utterances should appear in the Record and there be nothing said on the other side. Now, the Senators have disclaimed the meaning as I understood it and I am satisfied.

Mr. GALLINGER. If England had lifted her hand in 1862 other nations would have likewise lifted their hands.

Mr. BACON. That may be.

Mr. HEYBURN. Mr. President, I think I shall have to resume control of this question for a few minutes until the mind of man can quiet itself and get back on a conservative track.

Of course, that page of which the Senator from Georgia spoke when he said that he did not want it to appear unpunctured, perhaps would express it, was not complete when the Senator undertook to write his thoughts on it. When I spoke of taking away our liberties from England only upon the point of the bayonet, I did not refer to the class of benefits we have derived from England and from many nations and peoples of the earth, to which the Senator's mind seems to have attached itself.

Mr. BACON. If the Senator will permit me—

Mr. HEYBURN. If the Senator will permit me to finish this paragraph upon that page, we took our liberty from England, and we preserved it and protected it against England by the sword. We gained from England a race of people; we gained from England the traditions of human kind and all that that means in building up and maintaining a civilization and the culture which goes with it. We meet them to-day as intellectual, personal, and political equals, because we compelled them to recognize us as entitled to occupy that position. But I am discussing matters of a different character. I am not here to discuss the feeling of brotherly love that does or should exist between this and any other country. We are here to discuss business and commercial questions that affect our people, regardless of the effect upon the people of other nations whom we must concede to be equal to the task of taking care of their own people and the affairs of their people.

This line between Canada and the United States is more than an imaginary line, as it has been described repeatedly. It is a bulwark, a fortress, between the people of the United States and their rights and the people who stand behind that wall. It is a most important line to keep deeply and sharply marked upon the geography of the world so far as this country is concerned. It stretches from one shore to the other. There are the same number of States involved in this question, in point of interest, as were involved when the original struggle came for our freedom from England.

There are 13 border States standing to-day for their right under the laws of this country to protect the interest of their citizenship. They are calling upon the other States that would be less affected perhaps in a selfish sense and that ought to have the same principles of government to actuate and govern them as have these border States.

Is one State of this Union to play another against a foreign advantage? Is that patriotism? Is it patriotic for Texas or Alabama or Georgia to play the interests of Minnesota or Michigan or New York against the advantages which she might reap by subjecting those border States to rivalry in business and competition in trade, forsooth, because it might not affect the States lying farther to the south? That is not patriotism. Patriotism is not a matter of State lines. It is limited only by the extent of all over which the flag floats. The patriotism that is limited to less than the national interest is not patriotism at all; it is selfishness.

Mr. BACON. Mr. President, will the Senator permit me right there?

Mr. HEYBURN. Yes.

Mr. BACON. As the Senator speaks about our States, one of the principal grievances that is held by the States in the group to which the one from which I come belongs is the principle and cardinal policy of the party to which the honorable Senator belongs, a principle which seeks to enrich one part of the country in an utter ignoring of interests of the part of the country from which I come, so far as the great business of agricultural production is concerned.

Mr. HEYBURN. I do not concede it.

Mr. BACON. I simply want to tell exactly what I mean. The article of cotton furnishes the largest single export of any other product—agricultural, mineral, or manufacturing. I can go further. Unless the figures have been altered by the last census, it furnishes as much as any other two articles put together. In its total production it amounts to a thousand million dollars a year. It is the basic industry upon which rests the prosperity and development of that whole section. Yet it is a fact that the protective tariff, of which the Senator is so great an advocate and of which he is so stout a champion, is one which lays all of its burdens upon the people who are engaged in that great industry, when by reason of the fact that the price of cotton is necessarily fixed in Liverpool those who are engaged in that production can receive no benefit from the protective duty.

Now, the Senator speaks in very eloquent terms of the great injustice of a policy which is not national, one which does not extend all its benefits in a general way to all the people. Yet I point the Senator to the fact that this tremendous industry, with its thousand million dollars of product in one year, with its export more than that of any other two products of the country—agricultural, mineral, or manufacturing—is one in which there is not this national consideration, but against which there is this most marked and pronounced discrimination.

Mr. HEYBURN. Mr. President, it would be impossible in a country of this size that every industry should be equally represented in every part of it. Government is a question of compromise, as is business, as is humankind. One man or one community receives a benefit that it would be impossible to bestow upon another. It does not follow because every section of the country can not benefit by reason of one act of legislation that that legislation, in the great balance of equality, is not wise.

The Senator from Georgia knows well that there are many other interests and industries in that State that do benefit by reason of the protective tariff as it has in the past been enacted and administered.

Mr. BACON. And not a single one of which could survive one year were it not for the success of the great industry of which I have spoken.

Mr. HEYBURN. Mr. President, the thing of most value to the State of Georgia and to every other State in the Union is a market for its productions.

Mr. BACON. That is true, Mr. President, but where is the cotton market? Is that made by the protective tariff?

Mr. HEYBURN. The cotton market is upon the backs of 90,000,000 people in the United States. Should they discard the use of cotton, then perhaps the Senator from Georgia might realize that its prosperity depended upon the prosperity that enabled other people to wear its production in the shape of clothes.

Mr. BACON. Does the Senator from Idaho contend that the amount of cotton sold depends upon the protective tariff or the manufactured articles of cotton? In other words, does the Senator contend because you make a cotton shirt more expensive in the United States by putting a tariff on it, therefore the man who has cotton to sell to make the shirt will sell more of it on that account?

Mr. HEYBURN. The man who wears a cotton shirt in the United States is a \$5 man, and the man who wears it in some other country is about a 35-cent man. That is the difference.

Mr. BACON. That may be; but, nevertheless, he has to sell the same amount of cotton all the same, and it is a question whether the price of cotton is in any manner affected so far as to enhance it by reason of the protective tariff. Does the Senator contend that?

Mr. HEYBURN. I suppose the Senator would not like to have the mills of the South deprived of the protection that they use?

Mr. BACON. I certainly would—every dollar of it over and above what is necessary to raise revenue for the Government.

Mr. HEYBURN. Then it is evident the Senator from Georgia belongs to a different economic school from that which I profess.

Mr. BACON. I have no doubt of that.

Mr. MARTINE of New Jersey. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New Jersey?

Mr. HEYBURN. In one moment.

The VICE PRESIDENT. The Senator from Idaho declines to yield to the Senator from New Jersey.

Mr. HEYBURN. I have yielded to the Senator from Georgia. I am not at liberty to yield to another Senator as long as the Senator from Georgia is exercising that privilege.

Mr. MARTINE of New Jersey. If the Senator will yield—

Mr. BACON. I was not interrupting the Senator; he was proceeding. He said that he belonged to a different school from myself, and it is the first thing I have agreed with him on.

Mr. HEYBURN. That being conceded, there is one task that I would not undertake at 4 o'clock in the afternoon, and that is to convert the Senator from Georgia to my political belief.

Mr. BACON. If the Senator will pardon me one moment, I will say to him that it would take him not only this afternoon, but the balance of the century, to prove that any law passed in this country fixes the price of cotton. The price of cotton is fixed in Liverpool.

Mr. HEYBURN. Some day when the question of the tariff as applied within our own country in the enactment of a tariff law is before the Senate, and the Senate will have patience to listen to me, I may take up that phase of the question of protection, but it is not within the line of the subject I have undertaken to discuss briefly this afternoon. I have heard that doctrine; it is not unfamiliar at all; but in a proper hour and at a proper time let us discuss it.

Mr. BACON. I hope when the Senator proposes to discuss the question as to how the protective tariff affects the price of cotton I will be present to hear him.

Mr. MARTINE of New Jersey. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield?

Mr. HEYBURN. I yield to the Senator from New Jersey.

Mr. MARTINE of New Jersey. The unfortunate and remarkable thing upon the part of the distinguished Senator from Idaho, and, in fact, with the Republican Party, is that they attribute the magnificent prosperity in the North, the West, the East, and the South to their iniquitous and intolerable and dishonest tariff policy. That we have grown beyond the parallel of nations no one will dispute, but our Republican friends give no credit to the magnificent condition that surrounds us and the magnificent conglomerate which makes up American citizenship. That we have grown is true, but we have grown in spite of your tariff. I have listened to such talk with the greatest interest. It was really worth a trip across the continent to see the heaving breasts of our Republican friends and the tearful eyes for the farmer, and yet, my friends, all your tariff process has been a burden upon the farmer. You say we have grown rich through your process of tariff. We insist that we have not shared nor fared equally in your process of tariff.

Mr. HEYBURN. Mr. President, I can not at this late hour yield the floor, and while I am very much pleased to be interrupted by the Senator from New Jersey and take notice of his suggestion in regard to the credit to be given for prosperity in this country, I think it would be well at this time, inasmuch as I am—

Mr. MARTINE of New Jersey. I realize, Mr. President—

The VICE PRESIDENT. The Senator from Idaho can not be interrupted until he has assented to interruption.

Mr. MARTINE of New Jersey. He will be, Mr. President—

The VICE PRESIDENT. The Senator from New Jersey is not yet recognized.

Mr. MARTINE of New Jersey. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New Jersey?

Mr. HEYBURN. For a question, but not for a speech.

Mr. MARTINE of New Jersey. I have simply to say to the Senator from Idaho that you are big enough in stature and broad enough in intellect to be generous. We do not feel that we are foes; but we feel that we are American citizens, and you have banquetted and grown rich, politically, on fostering this intolerable nonsense regarding the tariffs; and as a farmer I must enter my protest against it.

Mr. HEYBURN. That is a well-rounded sentence, Mr. President, and I decline further to yield.

The VICE PRESIDENT. The Senator from Idaho declines further to yield.

Mr. HEYBURN. Mr. President, I have been entertained by such preachments for many years; I have heard them throughout my life; and I have concluded that, as a rule, it is best to leave the reply to the future. We have only to look over the history during our own lives to know the facts. The policy of protection is as old as the country. The policy of free trade, which is evidently what the Senator from New Jersey speaks for, has never been successfully applied to our country, and no man will rise in his place and say that the free-trade policy as a political principle has ever brought and sustained prosperity to the American people—

Mr. OWEN. Mr. President—

Mr. HEYBURN. Outside of certain establishments with their gilt signs "Money to loan," and things like that. They have prospered. Does the Senator from Oklahoma—

Mr. MARTINE of New Jersey. Mr. President—

Mr. OWEN. Mr. President, may I—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New Jersey?

Mr. HEYBURN. The Senator from Oklahoma [Mr. OWEN] first rose and addressed the Chair.

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Oklahoma?

Mr. HEYBURN. For a question.

Mr. OWEN. When the Senator from Idaho said that no man would rise in his place and speak of the value of free trade—

Mr. HEYBURN. No; I did not. I said no man would rise in his place and say that prosperity had been brought about and maintained by free trade.

Mr. OWEN. I rise in my place for the purpose of saying that, if the Senator will permit me to say it.

Mr. HEYBURN. What does the Senator say? Will he name the period and section of the country where this prosperity existed under free trade?

Mr. OWEN. Mr. President, in answer to the Senator from Idaho, I will say that the prosperity of the United States from the foundation of this Government until the present time is due to the freedom of trade between the States of this Union. We have 46 great States here. We have perfect freedom of intercourse.

Mr. HEYBURN. Now, Mr. President, I will have to call that sentence off.

The VICE PRESIDENT. The Senator declines further to yield.

Mr. OWEN. Mr. President—

The VICE PRESIDENT. The Senator from Idaho declines further to yield, and, if the Senator from Idaho will permit the Chair for one moment, the Chair desires to call to the attention of the Senate its own rule, which the Chair has been attempting to enforce, and has had very poor success thereat in the last day or two—

When a Senator desires to speak—

This is Rule XIX—

he shall rise and address the Presiding Officer, and shall not proceed until he is recognized.

Further on, in the same rule, it is provided that—

No Senator shall interrupt another Senator in debate without his consent.

It does seem to the Chair that, particularly within the last two or three days, Senators have fallen into the habit of interrupting a Senator on the floor without addressing the Chair or without waiting for the permission of the Senator, and gone on to make addresses when the Senator had said he yielded for a question, but not for a speech. It is of no consequence to the Chair whether the Senate lives up to its rules or not, but it is for the Senate; and the Chair calls the attention of the Senate to the exact provision of the rule.

Mr. OWEN. Mr. President, I should like to make a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. OWEN. In case a Senator on the floor invites another Senator to rise and express himself, does the rule provide for that opportunity?

The VICE PRESIDENT. The Chair would say that that was a case where the Senator had submitted to the interruption and that then the Senator could proceed, but that he first must address the Chair and be recognized by the Chair.

Mr. HEYBURN. Now, Mr. President, I think I need not explain, and especially need not apologize, for declining to be further interrupted for a discussion of the question of the trade between the States.

Mr. BAILEY. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Texas?

Mr. HEYBURN. I yield to the Senator from Texas.

Mr. BAILEY. I simply want it to go into the RECORD, side by side with what the Senator has said, that at no period in the history of this Government has "free trade," as he expresses it, ever prevailed. If the Senator means to challenge a contradiction of his statement that the country has not prospered and prospered most happily under a revenue tariff, I am prepared to contradict that, and I am prepared to cite him to the time when that condition existed.

Mr. HEYBURN. Mr. President, I have not referred to a revenue tariff, although I would not retreat from the challenge to discuss it; yet to enter upon it would be taking me away from the line of my purpose to-day.

Mr. BAILEY. Mr. President, of course no Senator can accept the challenge the Senator makes to specify a time when the country prospered under free trade, because that time has never existed.

Mr. HEYBURN. I am indebted to the Senator from Texas for sustaining my statement.

Mr. President, when I was interrupted, since which time I have digressed far from the line of my thought, I was speaking of the character of the boundary between this country and Canada so far as it was necessary to consider it in relation to this question. I say that it is much more important that the law be strictly drawn and strictly enforced between this country and Canada than between this country and any other country in the world, unless it be Mexico, because they are those having most ready access to our territory. In the case of Mexico, they are a cheap-producing and a cheap-living people, while in the case of Canada they are large producers with a scant market; so that they are both of them dangerous so far as our trade is concerned.

I care not whether the Liverpool market fixes the price of wheat. I will never reach that question in arriving at a conclusion that will dictate my action in this matter. I do not minimize it and I do not reflect upon the judgment of those who use it as a basis of argument, but I say there is a larger and a broader principle that is sufficient in itself to control us in wise legislation.

In the American nation of people there is no North or South or East or West; their rights are equal, their opportunities are as variant as it is possible to imagine, but they are nevertheless the American people, owing allegiance to their country and owing support to each other. No man in this great family of the Nation, because he might be benefited perhaps, has a right to do that which would affect or destroy the prosperity or happiness of other people. It is a question, as I was saying when interrupted, of mutual concession, one section of the country to another; but that principle does not carry beyond the lines of our country. Patriotism ends at the border line in times of peace. It is only carried beyond the border line to the music of the fife and with the flag in times of war. At other times it is here at home, and in the exercise of that patriotic duty of citizenship we must look to the interest of the people as a whole and see to it that no part of our country is called upon to sacrifice the interests of its people in order that some other part of the country may have something beyond what they are entitled to.

Mr. President, the farmer and the mechanic, the laborer and the loafer, live under the same law. We do not classify men for the purpose of making laws in this country. There is no preferred class. The farmers' rights are no greater than those of the mechanic. Whenever we depart from that rule we are then in danger of doing just what is sought to be done here or proposed to be done in the enactment of this legislation. If you deviate from the rule in the one case, there is no method by which you can determine where it shall cease.

Mr. President, that is the reason I said in the beginning that this is a political principle and not a trading market. The principle being established, there will be found no difficulty in applying it to the several interests. The first thing in a government is to establish the principle of government, not its policy. The policy of a government is written in its laws. The principle is that from which the policy flows.

Above all, avoid following the policy of any man. I resent men foisting their policies upon the Government in lieu of the law. I resent the modification or evasion of the law through what is termed the policy of this man or that.

I am going to discuss this question without attacking the President of the United States or reflecting upon him. We differ in regard to this measure, but it does not follow that either differing party is corrupt or insane. There is great room for differences of opinion in this country. I am not going to leave the Republican organization because of what it does or does not do in this matter. The repairs to be made in the household of the Republican Party are to be made by its friends within the household, and not by the process of demolition from the outside. The thing that I stand for is the principle of the party; and the party is composed of the individuals that support that principle or the principles of a majority of the party. They may go astray temporarily, and I may differ from a large majority of my party, but I will continue to work within that party and I will not go out and join those who have no sympathy with it and who are trying to destroy it.

More than once in my lifetime I have been brought face to face with the question as to whether I would go with the cry and the excitement of the hour because it was going to win, or whether I would stay at home and wait for those who went out to come back in their saner moments with the experience of the period as their future guide.

Mr. President, I did not intend and do not intend to enter further upon the discussion of this matter to-day. There are specific questions involved in the consideration of this proposed

legislation that I may feel called upon from time to time to discuss to some extent, and having outlined, as I think, candidly and fairly my position, I will allow the matter, so far as I am concerned to-day, to rest.

EXECUTIVE SESSION.

Mr. CULLOM. Mr. President, several Senators are desirous of having an executive session. I move, therefore, that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, June 21, 1911, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate June 20, 1911.

COLLECTOR OF CUSTOMS.

Morton Tower, of Oregon, to be collector of customs for the district of Coos Bay, in the State of Oregon. (Reappointment.)

MELTER AND REFINER.

Harrison J. Slaker, of New York, to be melter and refiner of the United States assay office at New York, N. Y., in place of Henry B. Kelsey, resigned.

DEPUTY COMMISSIONER.

Hugh M. Smith, of the District of Columbia, to be deputy commissioner in the Bureau of Fisheries, Department of Commerce and Labor, effective June 1, 1911.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Capt. Francis H. Beach, Seventh Cavalry, to be major from June 13, 1911, vice Maj. Ellwood W. Evans, Cavalry, unassigned, detailed as paymaster on that date.

First Lieut. Robert M. Nolan, First Cavalry, to be captain from June 13, 1911, vice Capt. Francis H. Beach, Seventh Cavalry, promoted.

First Lieut. William O. Reed, Sixth Cavalry, to be captain from June 13, 1911, vice Capt. John A. Wagner, Cavalry, unassigned, detailed as quartermaster on that date.

Second Lieut. Roy W. Holderness, Sixth Cavalry, to be first lieutenant from June 13, 1911, vice First Lieut. William O. Reed, Sixth Cavalry, promoted.

COAST ARTILLERY CORPS.

First Lieut. George W. Cocheu, Coast Artillery Corps, to be captain from June 12, 1911, vice Capt. James R. Pourie, detailed as quartermaster on that date.

INFANTRY ARM.

Maj. William H. Sage, Eleventh Infantry, to be lieutenant colonel from June 13, 1911, vice Lieut. Col. Henry C. Hodges, jr., Infantry, unassigned, detached from his proper command under the provisions of an act of Congress approved March 3, 1911.

Capt. Henry J. Hunt, infantry, unassigned, to be major, from June 13, 1911, vice Maj. William H. Sage, Eleventh Infantry, promoted.

Second Lieut. Richard R. Pickering, Sixteenth Infantry, to be first lieutenant from March 11, 1911, vice First Lieut. Abraham U. Loeb, Ninth Infantry, promoted.

Second Lieut. Lowe A. McClure, Fifteenth Infantry, to be first lieutenant from March 11, 1911, vice First Lieut. William B. Baker, Eighth Infantry, promoted.

Second Lieut. Charles F. Conry, Tenth Infantry, to be first lieutenant from March 11, 1911, vice First Lieut. Constant Cordier, Fourth Infantry, promoted.

Second Lieut. Clement H. Wright, Second Infantry, to be first lieutenant from March 11, 1911, vice First Lieut. James M. Loud, Twenty-eighth Infantry, promoted.

Second Lieut. William R. Scott, Seventh Infantry, to be first lieutenant from March 11, 1911, vice First Lieut. Edmund S. Sayer, jr., Twenty-first Infantry, promoted.

Second Lieut. William W. Harris, jr., Thirtieth Infantry, to be first lieutenant from March 11, 1911, vice First Lieut. J. De Camp Hall, Fourth Infantry, promoted.

MEDICAL CORPS.

To be captains with rank from June 13, 1911, after three years' service.

First Lieut. John R. Barber.

First Lieut. Joseph A. Worthington.

First Lieut. Mahlon Ashford.

First Lieut. Edward G. Huber.

First Lieut. John S. Lambie, jr.

First Lieut. Arthur N. Tasker.

First Lieut. Howard McC. Snyder.

First Lieut. Calvin D. Cowles, jr.
First Lieut. Garfield L. McKinney.
First Lieut. Hiram A. Phillips.

PAY DEPARTMENT.

Maj. Thomas C. Goodman, paymaster, to be Deputy Paymaster General, with the rank of lieutenant colonel, from June 13, 1911, vice Lieut. Col. Francis L. Payson, Deputy Paymaster General, retired from active service June 12, 1911.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants with rank from June 12, 1911.

Thomas Crooke McCleave, of California.
Homer Clifton Moses, of Colorado.
George Louis Painter, of California.
Louis Austin Bolling, of Indiana.
Arthur Alexander Finch, of Oregon.
William Henry Lloyd, of Pennsylvania.
Chalmers Melancthon Van Poole, of North Carolina.
Raymond Carl Andries, of Michigan.
Francis Theodore Buechli Fest, of New Mexico.
Louis Alexander Greensfelder, of Illinois.
Neal Luther Hoskins, of Michigan.
James Wooffendale Inches, of Michigan.
Lawrence Lee, of Georgia.
Hiram Rittenhouse Loux, of Pennsylvania.
Alexander Johnston MacKenzie, of Michigan.
William Jason Mixer, of Massachusetts.
Robert Albert Carl Wollenberg, of Michigan.
Richard Mills Pearce, jr., of Pennsylvania.
Frederick Casimir Simon, of Missouri.
William Norwood Souter, of New Hampshire.

PROMOTIONS IN THE NAVY.

Capt. Charles B. T. Moore to be a rear admiral in the Navy from the 14th day of June, 1911, to fill a vacancy.

Commander Edward Simpson to be a captain in the Navy from the 4th day of March, 1911, to fill a vacancy.

Medical Inspector James E. Gardner to be a medical director in the Navy from the 2d day of June, 1911, to fill a vacancy.

Machinist Frederick H. Richwien to be a chief machinist in the Navy from the 3d day of March, 1909, upon the completion of six years' service as a machinist.

Lieut. Henry E. Lackey to be a lieutenant commander in the Navy from the 4th day of March, 1911, to fill a vacancy.

Lieut. Frederick J. Horne to be a lieutenant commander in the Navy from the 14th day of June, 1911, to fill a vacancy.

Lieut. (Junior Grade) Edward S. Robinson to be a lieutenant in the Navy from the 23d day of October, 1910, to fill a vacancy.

Lieut. (Junior Grade) Benjamin H. Steele to be a lieutenant in the Navy from the 4th day of March, 1911, to fill a vacancy.

Machinist John R. Likens to be a chief machinist in the Navy from the 29th day of December, 1910, upon the completion of six years' service as a machinist.

POSTMASTERS.

CALIFORNIA.

James W. Roe to be postmaster at San Gabriel, Cal. Office became presidential April 1, 1911.

IOWA.

John E. Deitrick to be postmaster at Afton, Iowa, in place of Henry E. Bollinger. Incumbent's commission expired January 24, 1910.

MASSACHUSETTS.

Austin E. Stearns to be postmaster at Conway, Mass. Office becomes presidential July 1, 1911.

MICHIGAN.

Thomas B. Wynn to be postmaster at Eau Claire, Mich. Office becomes presidential July 1, 1911.

OHIO.

Frank M. Kain to be postmaster at Batavia, Ohio, in place of William W. Dennison. Incumbent's commission expired March 3, 1909.

William J. Lockheart to be postmaster at Bellville, Ohio, in place of William W. Johns. Incumbent's commission expired January 29, 1911.

RHODE ISLAND.

J. Milton Payne to be postmaster at Pawtucket, R. I., in place of William H. Barclay, resigned.

UTAH.

William W. Wilson to be postmaster at Sandy, Utah, in place of William W. Wilson. Incumbent's commission expired February 20, 1911.

WASHINGTON.

Willis R. Hulett to be postmaster at Twisp, Wash. Office becomes presidential July 1, 1911.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 20, 1911.

UNITED STATES DISTRICT JUDGE.

Frank A. Youmans to be United States district judge for the western district of Arkansas.

ASSOCIATE JUSTICE SUPREME COURT, NEW MEXICO.

John R. McFie to be associate justice of the Supreme Court of New Mexico.

UNITED STATES ATTORNEY.

Arthur J. Tuttle to be United States attorney for the eastern district of Michigan.

ASSAYER OF MINT.

William M. Lynch to be assayer in charge of the mint at New Orleans, La.

PROMOTIONS IN THE NAVY.

Commander William B. Fletcher to be a captain.

Lieut. Clark H. Woodward to be a lieutenant commander in the Navy from the 4th day of March, 1911, to fill a vacancy.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 13th day of February, 1911, upon the completion of three years' service as ensigns:

Ray S. McDonald,
Carroll S. Graves,
Charles A. Woodruff,
Lesley B. Anderson,
Hollis M. Cooley,
Edward D. Washburn, jr., and
Robert V. Lowe.

Gunner Ulysses G. Chipman to be a chief gunner in the Navy from the 25th day of May, 1910, upon the completion of six years' service as a gunner.

Gunner Frederick T. Montgomery to be a chief gunner in the Navy from the 4th day of February, 1911, upon the completion of six years' service as a gunner.

The following-named ensigns to be assistant naval constructors:

Edmund R. Norton, and
Andrew W. Carmichael.

The following-named ensigns to be lieutenants (junior grade):

Julian H. Collins, and
Stuart W. Cake.

The following-named citizens to be second lieutenants in the United States Marine Corps from the 9th day of June, 1911, to fill vacancies:

Bernard F. Hickey, a citizen of New York,
John L. Doxey, a citizen of Arkansas,
Archibald Young, a citizen of New York,
John A. Gray, a citizen of Maryland, and
Andrew M. Jones, a corporal in the United States Marine Corps.

Rear Admiral Reginald F. Nicholson to be a rear admiral.
Paymaster Gen. Thomas J. Cowie to be a paymaster general with the rank of rear admiral.

POSTMASTERS.

ILLINOIS.

Joseph C. Holly, McHenry.

MASSACHUSETTS.

Arthur E. Walker, Maynard.

MONTANA.

Allan Cameron, Bozeman.
W. W. McCall, Whitehall.

NEW YORK.

Minnie N. Slight, Tottenville (late Bentley Manor).

OREGON.

Herbert H. Mack, Huntington.

RHODE ISLAND.

J. Milton Payne, Pawtucket.

UTAH.

William H. Rex, Salina.

VERMONT.

Edward B. Hatch, Chelsea.

WYOMING.

John E. Crowley, Fort Russell.

HOUSE OF REPRESENTATIVES.

TUESDAY, June 20, 1911.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, our Father in heaven, for the men of old who climbed the heights of glory, dreamed dreams, and saw visions which illumine the present, to guide us on our way. Grant that the visions of the now may cast their light far out into the future, to guide those who shall come after us to larger life and grander achievements, that humanity may march on with steady and unfaltering footsteps until the ruling passion of men shall be love to Thee and to their fellow men; that man's inhumanity to man may perish in the strife of men to overcome evil with good. And pæans of praise we will ever give to Thee, our God and our Father. Amen.

The Journal of the proceedings of yesterday, June 19, 1911, was read and approved.

THE WOOL SCHEDULE.

Mr. UNDERWOOD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11019) to reduce the duties on wool and manufactures of wool.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11019) to reduce duties on wool and manufactures of wool, with Mr. SULZER in the chair.

Mr. UNDERWOOD. Mr. Chairman, general debate has been closed by general consent on the bill. I will ask that the Clerk read the bill under the five-minute rule.

The CHAIRMAN. General debate on this bill has been closed, and the Clerk will now read the bill by sections under the five-minute rule.

The Clerk read as follows:

Be it enacted, etc., That on and after the 1st day of January, 1912, the articles hereinafter enumerated, described, and provided for shall, when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), be subjected to the duties hereinafter provided, and no others; that is to say—

Mr. MANN. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk and ask to have read.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amend by striking out all of lines 3 to 9, inclusive, page 1, and inserting in lieu thereof the following:

"That the act entitled 'An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes,' approved August 5, 1909, be, and the same is hereby, amended by striking out paragraphs 360 to 395, inclusive, of section 1 of said act, as they now read, and by inserting in lieu thereof as part of section 1 of said act the following."

Mr. UNDERWOOD. Mr. Speaker, reserving the point of order, I did not understand the amendment offered by the gentleman. It said, "Insert the following." Had the Clerk finished reading the paragraph?

Mr. MANN. Yes. That is, the first paragraph.

The CHAIRMAN. The gentleman from Alabama reserves all points of order.

Mr. MANN. There is no point of order on the amendment.

Mr. UNDERWOOD. I did not understand, from hearing the amendment read at the desk. I understand now, and I have no point of order to make.

Mr. MANN. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

Mr. UNDERWOOD. I do not object, Mr. Chairman, to the request of the gentleman to proceed for 10 minutes, nor shall I object to the request of any gentleman to proceed for 10 minutes, because I think that is a reasonable latitude to discuss amendments; but if a request is made to proceed for longer than 10 minutes I shall object.

Mr. MANN. There might be some case where the gentleman would be willing to give an extension.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, I may say to the gentleman from Alabama and to the House that I think with a reasonable amount of debate we will still be able to get through the bill to-day.

Mr. Chairman, this bill is entitled "A bill to reduce the duties on wool and manufactures of wool."

It is a bill independent, by itself. It is not and does not purport to be an amendment to the existing tariff law. If passed, its language takes effect as a new, independent law, repealing, of course, those laws that are inconsistent with it. But it is not inserted as a part of the Payne law, and by its passage it does not become an amendment to the Payne law.

The amendment I have offered proposes to have the bill inserted as an amendment to the Payne law, so that it will not repeal other provisions in the Payne law which may or ought to remain in the law. For instance, the Payne law provides that nothing in that act shall be held or construed to abrogate in any way the Cuban reciprocity treaty or the law based upon it; but if this bill be enacted as a separate and independent act, fixing, as it does, the rates of duty upon woolen importations, it absolutely repeals, so far as wool and woolen goods are concerned, both the Cuban reciprocity treaty and the Cuban reciprocity law which we passed. If this should be inserted as an amendment to the Payne law, it would not repeal the maximum and minimum provisions of the law; but if it be passed as an independent measure, as it now stands, it absolutely repeals, so far as wools and woolens are concerned, the maximum and minimum provisions of the existing tariff law.

If it is the purpose of the majority of the House to repeal the maximum and minimum provisions of the law as to wool and woolens, then the offer of the bill is correct; but if it is intended to leave to our country the maximum and minimum club, which has been used quite effectively so far, then this should be inserted as an amendment to the Payne law. The amendment which I have offered is to strike out the paragraphs of the Payne law relating to wool and woolens and to insert the text of this bill as an amendment to the Payne law. That would be the ordinary and sensible provision for amending this law.

That is not all. As will be shown later in the debate—or perhaps it may be well to refer to it now—this bill contains all through it the provision:

Not otherwise specified in this act.
Manufactures composed wholly or in part of wool, not otherwise specified in this act.

I called the attention of the House, in my opening speech on this bill, to the fact that under its provisions it would put the woolen tariff upon every piece of goods composed partly of wool and partly of cotton, and I was told by gentlemen on that side of the House who were not well informed that if the goods were composed in chief value of cotton they would pay the cotton schedule, and if composed in chief value of wool they would pay the woolen schedule. That is true of the existing law, because the courts have said that under the existing law there was special provision made, so that where goods were composed in chief value of cotton they would pay the cotton schedule; but as this bill is not an amendment to the existing law, as it does not purport to amend the existing law, and as it is written last, its provisions take effect as independent provisions, and the provisions of this bill are that all manufactures composed wholly or in part of wool shall pay the duty provided in this act unless otherwise specially provided for in this act. Now, if the amendment which I offer prevails, the term "this act" will apply to the law to which this is amendatory—the existing tariff law—but if my amendment does not prevail, the term "this act" will refer to this woolen-schedule act; and there being no other provision in this act in reference to goods composed in part of wool, then all goods composed in part of wool must pay the duty fixed by this act.

For instance, we authorize in the existing law the importation by a traveler abroad coming home of \$100 worth of wearing apparel; but this act, if it passes in its present form, will, so far as woolen goods are concerned, repeal the existing law, because this act provides that all woolen goods shall pay the duty provided for "in this act," the new act, unless otherwise specially provided for "in this act," the new act.

But if the amendment which I have offered prevails, that language might remain in because then it would be an amendment to an existing act and the term "this act" would apply to the existing law.

Mr. KENDALL. Mr. Chairman, will the gentleman yield?

Mr. MANN. I yield.

Mr. KENDALL. I want to inquire of the gentleman if it is his assumption that cloths imported now under the Payne bill are assessed according to the quantity of wool or cotton they may contain?

Mr. MANN. It is not my impression at all. Cloths imported now are assessed on a woolen schedule, but if their chief value be cotton, composed chiefly of cotton, there is a special provision that they shall take the cotton-schedule duties.

Mr. KENDALL. And if their chief value is woolen, composed chiefly of wool, they take the woolen-schedule duties?

Mr. MANN. Yes.

Mr. KENDALL. And the gentleman's contention is that no matter how slight may be the presence of wool, under this language it would have to take the woolen schedule?

Mr. MANN. Under the provisions of this bill silk goods which paid \$3, if they have one yarn of woolen in them will pay the woolen-schedule duties; in the same way they have construed the provisions with reference to mercerized cotton.

The way is to amend the Payne law; insert the balance of section 1 in this bill in quotation marks showing it becomes a part of the existing law, and strike out the provisions that are now in the existing law. [Applause.]

Mr. UNDERWOOD. Mr. Chairman, my friend from Illinois is always so cocksure that he knows all the law that it is really difficult to take issue with him on any question. I would hesitate myself to take issue with him on this important question if the Treasury Department had not already decided that this bill covers what the gentleman from Illinois says it ought to cover.

Now, as to the language of this bill, except as to the first provision relating to raw wool, which we changed entirely because we put it under the ad valorem rate, wiped out the classification under the specific rates of duty—the language of this bill practically in all parts follows the language of the Payne bill, and the only changes that are made is to change the rates of duty from specific and ad valorem rates combined—that is, compound duties—to strictly ad valorem duties.

Now, the very language that the gentleman complains we have left out of this bill is inserted in this bill in order to conform to the decisions of the court, which I have here on my desk, if the gentleman from Illinois wants to investigate them.

Mr. MANN. I have investigated them.

Mr. UNDERWOOD. I submitted the language of this bill to the Treasury Department before we offered it in the committee, and requested them to criticize the language, so that it would conform to the rulings of the Treasury Department and in order that we would not have to go outside and bring about new decisions.

I hold in my hand a letter from the Secretary of the Treasury in which he refers to this very proposition which the gentleman from Illinois thinks so important to insert in order that goods composed in the chief part of wool will come under the classification of wool. The paragraph to which the decision was rendered of the Payne bill corresponds to paragraph 7 of this bill. I will not take the time to read the entire letter of the Secretary of the Treasury, but in reference to paragraph 7, similar to the one referred to in the decision that the gentleman from Illinois refers to, the court in the United States against Johnson, the Treasury Department, in its letter, says:

Paragraph 7 of the proposed draft provides for women's and children's dress goods, coat linings, etc., composed wholly or in part of wool, and not specially provided for. If this paragraph is intended to cover any women's and children's dress goods, etc., no matter whether cotton, flax, or other fiber is the element of chief value, when composed in part of wool, then it should carry that intent into the paragraph in specific language, for the reason that the courts have repeatedly held that the corresponding provision in the act of 1897, paragraph 366, for cloths made wholly or in part of wool, covers only such cloths in which wool is the element of chief value, the latest decision upon this subject being that of the United States Circuit Court of Appeals for the Second Circuit in *United States v. Johnson* (157 Fed. Rep., 754).

Mr. MANN. Will the gentleman from Alabama yield?

Mr. UNDERWOOD. No; I can not yield, I have only 10 minutes.

Mr. MANN. We will give the gentleman more time.

Mr. UNDERWOOD. I do not desire to ask for more time, because I do not desire to yield to anyone more than 10 minutes.

So that as to the provisions of this bill, if the language is incorrect, then the language in the Payne bill was incorrect, and the language in the Dingley bill was incorrect; and I will say to the gentleman from Illinois [Mr. MANN] we were careful to follow the language of the Payne bill, except so far as it related to the change from a compound rate of duty to an ad valorem rate of duty, because we wanted but one issue to come before the American people on this question, and that was the issue of rates—as to whether they desire to stand by a relative ad valorem rate of 90 per cent on the woolen schedule or an average ad valorem rate of 42½ per cent on the woolen schedule.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. Mr. Chairman, I do not desire to yield, as my time is nearly up. As to the other objection that the gentleman raises in reference to this bill, I concede that the law in reference to the Cuban treaty will be wiped out in reference to wool and woollens if this bill is passed, because this is a law enacted, if it is enacted by Congress, subsequent to the ratification of that treaty. There is no issue between the gentleman and me, but I want to call the gentleman's attention to the fact

that there are no importations of raw wool coming from Cuba, and the importations of woolen goods and woolen manufactures coming from Cuba in the last year amounted, if I recollect the figures correctly, to about \$101—certainly not over a few hundred dollars of importations coming from Cuba.

Mr. MANN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Illinois?

Mr. UNDERWOOD. I do not care to yield.

Mr. MANN. Oh, the gentleman is in charge of the bill and he ought to be willing to yield.

Mr. UNDERWOOD. I yield for a question.

Mr. MANN. Would not even that change in the Cuban treaty invalidate the entire treaty?

Mr. UNDERWOOD. I do not think so. It would not invalidate it at all, unless the Cuban Government said that they wanted the treaty wiped out, and they could do that whether this bill was passed or not. If they notified us that they wanted to give up the treaty, they could do so, but I take it that when there is only a hundred dollars or a little more than a hundred dollars worth of wool imported into this country from Cuba that the Cuban Government will not think that those importations are of the importance that the gentleman from Illinois thinks they are and ask for a revocation of the treaty.

As to the maximum and minimum tariff, everybody except the partisans of the Payne law on that side of the House recognizes that the maximum and minimum rates enacted into law in the Payne tariff law have been an absolute failure. The President of the United States was driven home from Canada in disgust because of the enactment of the inefficient maximum and minimum rates in the Payne tariff law; and, so far as I am concerned, I am not only willing to repeal the maximum and minimum rates in the Payne law, so far as they relate to the wool schedule, but when the proper time comes I would be glad to see them absolutely repealed and wiped off the statute books and the law enacted by which this Government could negotiate pacts with foreign nations that would be effective and be of some benefit to the American people. [Applause on the Democratic side.]

Therefore, Mr. Chairman, I say this amendment ought to be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 83, noes 142.

So the amendment was rejected.

The Clerk read as follows:

1. On wool of the sheep, hair of the camel, goat, alpaca, and other like animals, and on all wools and hair on the skin of such animals, the duty shall be 20 per cent ad valorem.

Mr. RUCKER of Colorado. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RUCKER of Colorado. Mr. Chairman, I have a substitute to offer to sections 1, 2, and 3 of this bill. I want to give notice now and also ask the Chair if it is in order to offer my substitute when the bill has been fully read, and whether I will be recognized to do that?

The CHAIRMAN. The Chair will determine that when the bill is read. The Chair can not determine that now.

Mr. UNDERWOOD. Mr. Chairman, I thought the gentleman was asking unanimous consent. Of course I can not consent to any amendment being taken up except it is relevant to the paragraph under consideration.

Mr. KOPP. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 1, line 12, strike out "twenty" and insert "forty."

Mr. KOPP. Mr. Chairman, of the many iniquities of this bill there is none more glaring than the proposed tariff on raw wool.

Now, Mr. Chairman, I have heard a good deal here during the past three or four months in reference to the protection the farmer is receiving. It seems that there is a determination throughout the country by some people if possible to annihilate the farmer and to ruin his prosperity. You have passed a bill here, the Canadian reciprocity bill, that is now at the other end of the Capitol, which, if it becomes a law, will as sure as the sun comes up in the morning ruin the dairy industry of this country and injure the farmer generally. Now you are attempting to strike a blow at those who are engaged in the raising of sheep by putting a tariff which amounts to practically nothing. Forty per cent ad valorem will be a less rate than he is receiving, but it will be somewhere near to what he is entitled, and it does seem to me, Mr. Chairman, that we ought to increase this rate to 40 per cent. Of course I

have no hope it will be increased in the face of the determination of the other side of the Chamber to pass the bill as it is.

I will say, Mr. Chairman, that so far as I am concerned I am willing to take a tariff for the farmer on everything which he produces which equalizes the difference in the cost of production at home and abroad, but can any man here tell me what is the difference in the cost of the production of wool here and abroad? What we want to know are the facts. We do know positively that there is a great difference in the way sheep are grown, and we do know positively that there is a great difference in that cost; and it seems to me we ought to wait until we have definite information; and when that information is obtained I am willing to let the people I represent take the result, whether it be a protective tariff for the farmer or not; but until we have that information I am unwilling to have the farmer deprived of all substantial protection on all his products, and so, Mr. Chairman, I hope that the amendment will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

Mr. SHARP, Mr. MOORE of Pennsylvania, and Mr. FRENCH rose.

Mr. SHARP. Mr. Chairman, I wish to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 12, page 1, strike out the word "twenty" and substitute therefor the word "thirty."

Mr. SHARP. Mr. Chairman, although the word "thirty" does not imply much more than the word "twenty," I wish to say in all sincerity that I do not offer this amendment to increase the duty merely out of a captious spirit, but with the belief that if adopted it will mean certainly a 50 per cent increase in the revenue that is to be derived from the importation of the raw product, as estimated under the provisions of this bill. I did not get an opportunity to speak at length upon this question during the general debate, and in the brief time allotted under the rules of the House it will be impossible for me to enter into anything like a full discussion of this important subject, but I was impressed with the remarks of my colleague—

Mr. HILL. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Connecticut?

Mr. HILL. I would like to ask the gentleman if that increase on wool of 10 per cent is made in this House will the gentleman then vote to increase the fabric duties accordingly?

Mr. SHARP. Not until I understand that question a great deal better than I do now.

Mr. HILL. You will not vote to increase the fabric duties accordingly. Do I understand the gentleman to say that he will not vote to increase the fabric duties accordingly?

Mr. SHARP. Not until I understand that feature of the bill better than I do at the present time. In connection with that question, let me say that I was a great deal interested in the remarks made by the gentleman from Massachusetts [Mr. WEEKS] the other day, and, drawing my conclusions from his very thorough explanation of the operations of the American Woolen Co., or trust, as it is called, I am not one of those who are willing at this time to believe that it needs any special consideration or favors at the hand of the House. Certainly a company which, in season and out during the past 12 years, covering two periods of financial and industrial depression, can continue to declare regularly 7 per cent dividends per annum upon their preferred stock, which has grown in amount to a total issue of \$40,000,000, which dividends actually declared and paid out have amounted to \$21,583,000, in addition to a large amount of surplus, besides charging off for repairs and renewals at least \$15,000,000, according to that gentleman's statement, is not an object of my special solicitude at this time.

I was very much interested as well as amused by the facetious humor indulged in by my colleague from Ohio [Mr. LONGWORTH] in his comments upon the report accompanying this bill. His speech was witty and highly humorous. I think, however, in the light of some of the speeches during the long debate upon this bill, now extending over two weeks, on both sides of the House, it is hardly too much for me to say that it would not be out of place to have a little more elementary knowledge upon some of these vexed questions upon which we must vote to-day. I differ from some of my colleagues upon this side of the House as to the doctrine of free raw materials and its application.

The other day I heard the gentleman from Arkansas [Mr. MACON] learnedly discuss the question of raw material, and he was asked, during his speech, whether he was in favor of

removing the duty entirely upon wool. The gentleman replied by saying that anybody who voted for the removal of the duty upon lumber, making it free raw material, in order to be consistent ought to vote for free wool.

But, gentlemen, it seems to me that no wider differences could be presented in the status of any so-called raw material than those of lumber and wool. In the former case, the supply is generally conceded to be held in the hands of a very few great timber owners, and the existence of a lumber trust is now under investigation. Then, too, by the American people being permitted to use free of duty the lumber of Canada our own supply would be better preserved and its use prolonged. Besides, it is not a business which has to be developed by long and patient toil, as the supply of timber is ready for the woodsman's ax upon the shortest preparation. In the consideration, however, of the product of wool it must be conceded that substantially the opposite conditions prevail. Looking at it from its aspect as a revenue producer, there is also a wide difference between them, for during the last fiscal year the revenues derived from the importation of lumber amounted to only about \$2,000,000, while that on wool was 10 times that amount. In at least all of the Eastern and Middle States sheep are owned by the farming class and divided into comparatively small flocks. No trust relation exists among them, and only by the greatest care and development of their sheep, aided by length of time, has it been able to develop this valuable source of our country's wealth. I believe the preservation of our wool-growing flocks, both from the standpoint of food product as well as for clothing material, is a conservation of our resources in the fullest sense. The history of the past shows that the strongest nations have been those that have cultivated its wool industry, and in times of war or famine its value to a nation is invaluable.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHARP. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. SHARP. In so far as lumber is concerned, I voted in favor of free lumber in order to save our own product, and, if possible, let down the gates, getting our supply from Canada, in order that the life of our own forests might be prolonged and the product cheapened to the consumer by such competition.

The importance, nay, the necessity, of raising a revenue from this product—and, I am sorry to say, I think more or less in a partisan sense doubt has been thrown upon the motive of the majority as to the purpose of imposing this duty upon wool—should not be overlooked. The revenues derived from the wool schedule, I believe, are next in amount to that received from any other imported article, that on raw wool alone amounting to substantially half the entire amount received under this schedule. The adoption of this amendment would, in my judgment, result in the saving of at least \$4,000,000 or \$5,000,000 per annum to our revenues, if the estimates of the framers of the bill are to be relied upon. Then, too, it seems to me that it would be, to the extent in which the increase in the rate of duty is provided by the amendment, just that much fairer and more just to the woolgrower. As the gentleman from Wisconsin [Mr. KOPP] has just said, and truly said, if there is any class of producers in the United States to-day that have always been entirely free from the cry of a combination and trust it is the great farming element.

We hear very much about the profits of the farmers, and yet the more we investigate the high cost of living, the more our attention is called to the undisputed fact that at least one-half of it comes in the cost of distribution. The farmer by no means gets the measure of profit that is supposed to exist upon his products when he takes them to the retail grocer and merchant. I believe, if the truth be known, that the cost between the manufacturer and the consumer in most lines of goods, as well as between the farmer and the consumer, really is doubled, and often more than this, before it reaches the hands of the consumer.

Some strictures have been indulged in by gentlemen on the other side of the House as to the methods adopted by the majority in binding its members by the action of the caucus. As one who has exercised the right to differ at times from his party associates—the use of which right, let me say, has never been questioned—I can not subscribe to this view. Our party has adopted liberal rules and made generous exceptions that will allow any Member to express by his vote his honest convictions; and certainly no complaint can justly be made upon the action of this caucus as it has to do with the vote upon this bill.

Let me conclude by saying that if we can not adopt this amendment here in the House, yet I hope before the bill receives the sanction of the Senate at the other end of the Capitol and becomes enacted into law, some of the reasons which I have endeavored to set forth in advocacy of this amendment may find favor with that body. [Applause.]

Mr. CANNON. Mr. Chairman, the gentleman from Alabama [Mr. UNDERWOOD], in presenting this bill to the House, made a somewhat lengthy and very interesting speech. It has not yet, I believe, been printed in the RECORD. In the course of his speech he was kind enough to yield to me for a question, in which I very briefly made a statement or two. I want to restate in substance what I said then, consuming a minute or two for that purpose.

The gentleman from Alabama, in discussing the bill, said that the duty upon raw wool under the law now—the Payne law, now in force—was only compensatory—

Mr. DALZELL. Competitive—

Mr. CANNON. Yes; was competitive. I had in mind the next step, and I misquoted the word—

Mr. UNDERWOOD. Highly competitive, I said.

Mr. CANNON. Yes. The gentleman said that the duty on manufactures was protective, but the duty on the wool was competitive, commencing at 11 cents a pound on raw wool, and increasing on washed and scoured wool; and he said that this pending bill was not to protect, but to yield revenue, and therefore he insisted that the bill should receive support.

The gentleman from Ohio [Mr. SHARP], for whose opinion I have high respect, especially as he comes from Ohio, where they grow wool, said that his amendment, providing for 30 per cent duty, would be a better revenue producer than 20 per cent, the rate fixed in the bill. I am inclined to believe that he is correct in that statement; but that, even, would not measure up to the competitive point.

Now, this bill, confessedly, if it becomes a law, is away below the difference in the cost of production of wool in the United States and its production by the competitive woolgrowers elsewhere in the world.

I merely wanted to call attention to the matter by having the gentleman restate in my remarks what he said in his general speech. The gentleman from Ohio kindly and courteously has my sympathy. He comes from Ohio. He confesses he is bound by the caucus action that will destroy the wool industry in the United States and greatly damage that industry in the State of Ohio, as well as elsewhere in the country. It seemed to me his voice is the voice of Jacob, but his vote will be the hand of Esau. [Applause on the Republican side.] Whether that voice of Jacob is going to materialize in the coming campaign in Ohio I do not know. I am not the gentleman's constituent. I consign him to his constituency. While I will not enter the domain of prophecy, I think they will discover by his vote the hand of Esau. Now, that is about all I desire to say on this particular amendment.

Oh, you are going to pass this bill, of course, and all that we can do is from time to time briefly to register our objections. If I did not have regard for the industries of the country—for the wool industry, the industries in factory and on farm—from the mere political standpoint, if I were playing from that standpoint, I would bid you Godspeed. But larger than the political standpoint, larger than the success or failure of the Democratic Party—

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. Just a minute more, if I can have it.

Mr. KAHN. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent that the time of the gentleman from Illinois be extended five minutes. Is there objection? The Chair hears none, and it is so ordered.

Mr. CANNON. I will not consume all of the five minutes.

I say, larger than the welfare of any political organization, or the election of a President or of a House, or the indorsement of a President for reelection, is the well-being and prosperity of the men, women, and children, 90,000,000 strong, who constitute the great Republic. [Applause on the Republican side.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

Mr. ANDERSON of Minnesota. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in a speech which I made in this House on Saturday last I presented some tables based on an actual analysis of wool content of woolen cloth, showing that the compensatory duty under this bill on the average amounts to 11.76 per cent, and that the protective duty under this bill amounts to 29.62 per cent.

I do not know whether it is the intention of gentlemen on that side of the aisle to try to justify that protective duty from the standpoint of a tariff for revenue. I do not believe it can be done. I am in favor of this amendment because I think it tends to equalize the duty to the wool grower and to the manufacturer. Its effect would be to increase the compensatory duty in the cloth about 5 per cent and reduce the protective duty about 5 per cent.

In an analysis and an investigation of the cost of production in foreign countries and in this country two years ago, Mr. W. A. Graham-Clark, special agent of the Department of Commerce and Labor, submitted the results of his investigation, and these results were made the basis, in part, of the argument in the Senate two years ago. His investigation shows that the labor cost of producing woolen cloth in England is slightly less than 25 per cent. Assuming that the labor cost in this country is double that amount, it would only justify a protective duty upon woolen cloth of 25 per cent. So it seems to me that the adoption of this amendment will do no injustice to the manufacturer of woolen cloth. It does not necessitate any other or further change in this bill, and it seems to me that justice requires that it be adopted.

I was one of those who stood in this House a few days ago when we took the vote upon the reciprocity measure. That day I saw many men here vote to take from the farmer the fruits of his victory in the very morning of his triumph. So far as I am concerned, it seems to me that justice should be done him now.

I am not entirely sure as to just what the duty upon raw wool should be, but I believe that a duty of 30 per cent on raw wool will do the manufacturer no injustice under this bill, and I trust that the amendment will be adopted. [Applause.]

Mr. SHACKLEFORD. Mr. Chairman, the bill now before the House is one to reduce the tariff on the woolen schedule. Some complain that we have reduced the rate on raw wool too low, while others declare that we should have put raw wool on the free list. It were strange indeed if in this body of 391 Members any bill could be reported which would precisely meet the views of each.

The task of the Democratic majority here is a very delicate one. We must so steer our ship that she shall neither go aground in the shallows of stagnant conservatism nor be dashed to pieces on the rocks of radicalism. Fortunately for us we have a chart by which we may safely sail the political sea—the tariff plank of the Denver platform. It declares for “an immediate reduction of import duties” by such “gradual reductions as may be necessary to restore the tariff to a revenue basis.”

This tariff plank is a declaration for neither protection nor for free trade, but for a revenue tariff. Many prominent Democrats are free traders, but in all of its history the party has never declared for that policy. It has universally stood for a tariff for revenue.

How shall we pass from a policy of a tariff for protection to one for revenue? Our platform points the way—by “such gradual reduction as may be necessary to restore the tariff to a revenue basis.” Why was it thought necessary to declare for a “gradual reduction”? Why not do it suddenly? The answer is easy. A half century has been devoted to building up an evil protective policy. It has been the law of the land. Many honest enterprises have been undertaken with this law in force. The statesmen who wrote the Denver platform desired the people to know that if we came into power we would immediately enter upon “a reduction of the tariff to a revenue basis,” but that we would not do it with such violence that disaster might follow. If a man were in the top story of a burning building he could remain and be burned or he could come down. If he determined to come down, he could choose between two methods. He could jump out of a window and collapse upon the ground. That would be the quickest way. Or he could climb down the fire escape. That would be the safest way.

If this bill be compared with the Payne bill, it will be found that we are climbing down the tariff-reduction fire escape with much speed. Be patient with us, Mr. Chairman, and ere long we will in safety get down onto the solid ground of tariff for revenue. Some of the ablest of our tariff-reform leaders think we have not gone far enough in this bill, but we have gone as far as a majority here felt that we could go and remain within our platform declaration for “a gradual reduction to a revenue basis.” Philosophy discerns and proclaims absolute perfection. Statesmanship demands the highest degree of perfection which can be secured from collective council and cooperative action in the face of confronting conditions.

I may be permitted to say that most of the majority members of the Ways and Means Committee are of the most progressive type, and individually they probably would have gone much further than this bill. We felt, however, that as members of the committee we represented not ourselves but those who had chosen us; that it was our duty to bring in such a bill as a majority of our party in the House would approve, provided always that it should be within the limitations of our platform. We recognized that in union there is strength. We were in daily association with our fellows, and felt that we knew about what they would regard as a fair compliance with the commands of our platform. Having in mind these considerations, we brought in this bill. It did meet with the approval of our party in the House. It does "reduce import duties." It does commence in emphatic form "a gradual reduction of the tariff to a revenue basis." It is a redemption of our platform pledges. What is of vastly more importance, we present a bill which, if enacted into law, would give substantial relief to the American people.

The CHAIRMAN. Without objection the pro forma amendment of the gentleman from Minnesota will be withdrawn, and the question recurs on the amendment of the gentleman from Ohio.

The question was taken, and the Chair announced that the amendment was rejected.

Mr. NORRIS (from his seat). A division, Mr. Chairman.

The CHAIRMAN. The gentleman from Nebraska demands a division.

Mr. UNDERWOOD. Mr. Chairman, I make the point of order that the gentleman who asks for a division did not rise in his seat.

Mr. NORRIS (rising). Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 55, noes 127.

So the amendment was rejected.

Mr. RUCKER of Colorado. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

SECTION 1. All wool, hair of the camel, goat, alpaca, and other like animals shall be divided, for the purpose of fixing the duties to be charged thereon, into the following classes:

Sec. 2. Class 1; that is to say, merino, mestiza, metz, or metis wool, or other wools of merino blood, immediate or remote; down clothing wools and wools of like character with any of the preceding, including Bagdad wool, China lamb's wool, Castle Branco, Adrianople skin, or butcher's wool; Leicester, Cotswold, Lincolnshire, down combing wools, Canada long wools, or other like combing wools of English blood and usually known by the terms herein used; and also hair of the camel, Angora goat, alpaca, and other like animals; and such wools as have been heretofore imported into the United States from Buenos Aires, New Zealand, Australia, Cape of Good Hope, Russia, Great Britain, Canada, Egypt, Morocco, and elsewhere; and all wools not hereinafter included in class 2.

Sec. 3. Class 2; that is to say, Donski, native South America, Cordova, Valparaiso, native Smyrna, Russian camel's hair, and all such wools of like character as have been heretofore usually imported into the United States from Turkey, Greece, Syria, and elsewhere, excepting improved wools hereinafter provided for.

Sec. 4. The standard samples of all wools which are now or may be hereafter deposited in the principal customhouses of the United States, under the authority of the Secretary of the Treasury, shall be the standards for the classification of all wools under this act; and the Secretary of the Treasury is authorized to renew these standards and to make such additions to them from time to time as may be required, and he shall cause to be deposited like standards in other customhouses of the United States when they may be needed.

Sec. 5. Whenever wool of class 2 shall have been improved by the admixture of merino or English blood from their present character, as represented by the standard samples now or hereafter to be deposited in the principal customhouses of the United States, such improved wools shall be classified for duty as class 1.

Sec. 6. If any bale or package of wool or hair specified in this act invoiced or entered as of class 2, or claimed by the importer to be dutiable as of class 2, shall contain any wool or hair subject to a higher rate of duty, the whole bale or package shall be subject to the rate of duty chargeable on wool of class 1; and if any bale or package be claimed by the importer to be shoddy, mungo, flocks, wool, hair, or other material of any class specified in this act, and such bale contains any admixture of any one or more of said materials, or of any other material, the whole bale or package shall be subject to duty at the highest rate imposed upon any article in said bale or package.

Sec. 7. When wool or hair of the first class shall be imported, the duty thereon shall be assessed upon the estimated amount of scoured wool or hair such importation of wool or hair will yield, this amount to be determined by scouring in the regular manner, under such regulations as the Secretary of the Treasury may provide. Representative samples of such wool or hair, and the amount of scoured wool or hair derived from such tests, shall be used as a basis to determine the total amount of scoured wool or hair contained in the importation covered by such test. The duty upon the amount of scoured wool or hair thus estimated as contained in such importation shall be 30 cents per pound: *Provided, however*, That where wool or hair of the first class shall be imported scoured the test herein provided for need not be made, but the duty on such scoured wool shall be 30 cents per pound: *And provided further*, That the duty upon wool of the first class imported on the skin shall be 26 cents per pound on the estimated amount of scoured wool such wool on the skin will yield when scoured, this amount to be determined by such regulations as the Secretary of the Treasury may provide.

Sec. 8. On wool of the second class, and on camel's hair of the second class, the duty per pound shall be 6 cents per pound: *Provided*, That where such wool or hair is imported in a condition for use in

carding or spinning into yarns, or which shall contain not more than 8 per cent of dirt or other foreign substance, the duty per pound shall be three times that to which it would otherwise be subjected: *And provided further*, That the duty on wool of the second class when imported on the skin shall be 1 cent per pound less than when imported not on the skin, the amount of such wool to be determined by such rules as the Secretary of the Treasury may provide.

Mr. UNDERWOOD. Mr. Chairman, I reserve the point of order, if the gentleman wishes to speak to his amendment.

Mr. RUCKER of Colorado. Mr. Chairman, this amendment is offered in lieu of section 1 of the bill. Section 1 of the bill provides for a duty of 20 per cent ad valorem on wool of the sheep, hair of the camel, goat, alpaca, and other like animals. Under existing law there are three classifications of the wools referred to in section 1 of the present bill. The difference in the duty on classes 1 and 2 is so slight that it disappears in the classification I have made. For that reason, and also for simplification, I have placed those wools in the first class, and in class 2 the wools described in class 3 in existing law.

My purpose now is to endeavor to demonstrate the appropriateness of and the necessity for this change, and, preliminarily, I wish to express the hope that what I have to submit in the brief time allowed me will be sufficiently convincing to justify the expectation of securing for it some votes in addition to my own. You will remember that when I offered my amendment to strike out the free-meat provision of the bill known as the farmers' free-list bill I was the only Member on this side who voted for it, and I am hopeful that the present result will make it possible to congratulate the country and myself individually that some progress is being made toward desirable and effective legislation.

In making some observations upon this subject I stated, in substance, the other day, that if you had entered into a conspiracy with the wool speculator and importer and had effected a secret agreement with him to pass this bill at this time you could not possibly have better accommodated his wishes nor accomplished a purpose which would more effectively redound to his individual benefit, for I am advised, and I believe authoritatively, that the speculator has, in anticipation of favoring results, put down the price on the wool clipped this spring more than 5 cents per pound, by which he has profited to the extent of some \$150,000,000. I have further information from equally credible sources that the prospective deprivation to the farmers of my district—the largest sheep-feeding field of the West—of the opportunity to dispose of their grain and hay for feeding purposes has resulted in a tremendous depreciation in farm values.

These conspicuously serious results, if there were no others, involving disaster to the American sheep producer, should plead "like angels, trumpet-tongued, against the deep damnation" of the passage of the wool provision in this bill.

Mr. Chairman, you know there is always a "black sheep" in every flock, and the sheepman will tell you it is the first one to scent the approaching wolf and nimbly lead its companions to safety. I must naturally assume that I am the ebony one of this flock, and I am frank to concede the motives actuating my associates to be as pure as the fleece of the balance of the flock is white. That they are sagacious and at heart as anxious to escape the crouching, ravenous wolves over there across the aisle goes without saying, and I can only hope they will heed the warning bleat of this "black sheep" and adopt my amendment.

It may be recalled, Mr. Chairman, that on another occasion quite recently I stood almost singly and alone in the midst of my Democratic associates in opposition to the so-called Canadian reciprocity agreement—a Republican administration measure. I did not then, nor do I now, believe that the time has come when the farmers of our country are prepared to engage in a scheme of farming on shares with a people whose patriotism rises to its sublimest heights at the strains of "God save the Queen," and who now so loyally, universally, and filially voice the significant motto, "Long live the King." I recalled the fact that we in this country have never obtained from the people who fly that flag any especially advantageous concessions save those that sprang from the bloody sacrifice of our forebears at Bunker Hill, Brandywine, Valley Forge, Yorktown, and other sanguinary fields.

Mr. Chairman, our national experience should teach us to regard with some suspicion the too ready acceptance of our magnanimous proposition to divide with the whole world the fruits of our great stock-growing business, as was contemplated in the passage of the meat provision of what is familiarly known as the farmers' free-list bill, nor should we permit our eyes to become beclouded in the careful consideration of a kindred measure of equally great concern to the welfare of the farmer and stock grower, such as the one now before the House.

I regard as some recompense at least for my efforts in this behalf the receipt of numerous communications of approval of

my position on that subject from the officers of the National Grange, the Farmers' Union, and the American Stock Growers' Association, as well as from the local officers of the various organizations in my State and from innumerable private citizens whose interests are so vitally involved in the fate of this bill.

Mr. BUCHANAN. Mr. Chairman, I rise to a point of order, because the gentleman is not discussing the point of order which was raised to the amendment.

The CHAIRMAN. The gentleman from Alabama reserves the point of order. The gentleman from Colorado will proceed.

Mr. SHARP. Mr. Chairman, will the gentleman yield?

Mr. RUCKER of Colorado. Yes.

Mr. SHARP. In the substitute that the gentleman has proposed I would like to know the relative amount of protection accorded to the woolgrowers over the present tariff.

Mr. RUCKER of Colorado. On the first-class wools it would be a reduction from 33 cents a pound to 30 cents a pound, and on the second-class wools a reduction from 36 cents to 30 cents, based on the scoured pound.

Mr. BUCHANAN. Mr. Chairman, I insist on my point of order. I want to know whether it is well taken, whether or not under this point of order the question of revenue may be discussed and the merits of the bill.

The CHAIRMAN. The point of order of the gentleman from Illinois is not well taken.

Mr. BUCHANAN. There has been a point of order raised. I did not understand that it was reserved.

The CHAIRMAN. It was reserved.

Mr. BUCHANAN. Oh, reserved. I was under a wrong impression.

Mr. RUCKER of Colorado. Mr. Chairman, the duty would be upon the specific basis—a 30 per cent specific duty upon the first and second class, making no distinction between the two.

I could, if I had the time, possibly interest you more if I traced back the history of the black sheep and told you how, in the first instance, in the natural and economic law there was a necessity for a black sheep at all, and why even to-day that natural and economic law is in force. But time, as I said, will not permit such digression. In my speech of last Saturday in the House I dwelt at length upon the principles underlying this amendment, and those who care to follow the subject further may find that speech in one of the Records of this week. I arose merely to make a short statement explaining the provisions of the amendment.

In suggesting that wool be placed upon a scoured basis for the purpose of levying the duty on that basis I am suggesting the only honest and scientific basis upon which a tariff on wool can or should be levied. Some wools shrink 33 per cent, while other wools shrink 66 per cent; and it therefore must be evidently unfair to the man who imports wool shrinking 66 per cent to charge him the same rate of duty as the man pays who imports wool shrinking but 33 per cent, for in the latter instance the importer of the 33 per cent wool obtains twice as much scoured wool for his duty paid as does the man who imports the 66 per cent wool.

There has grown up a great deal of dissension on account of light-shrinking wool and heavy-shrinking wool. This is but the logical consequence of basing the tariff, either specific or ad valorem, upon the greased pound. And this dissension will exist and grow greater until the matter is equalized by placing the duty solely upon the amount of scoured wool upon which the duty is paid. If the duty is assessed upon the scoured wool that may be contained in an importation, it will not matter to the importer whether it shrinks 30 per cent or 70 per cent, neither will it matter to the woolgrower what foreign wools may shrink when imported.

The wools of this country are sold on a scoured basis—it is absolutely on a scoured basis—and unless the tariff is placed upon the same basis it is impossible for him to know the extent of the competition he must meet.

There may be some who would state that a scoured basis is impracticable and would be unfair to the manufacturer or importer, but I say there never was a pound of wool sold on any other than the scoured basis. In fact, the wool buyer, after determining the quality of the wool, has no other concern except the amount it will shrink when scoured. He is not buying grease and dirt; he is after scoured wool; therefore the price which he is willing to pay must be based upon the amount of scoured wool that the grease wool will yield. Wool in the grease is not made into cloth, and there is no use for the dirt and grease that such wool contains. The average wool buyer can tell within 1 per cent in almost every instance just the amount of scoured wool he will obtain from the grease wool. In fact, at the great wool sales in the West it is a common custom where the man has a clip of 100,000 pounds of wool to open not more than 10 of these sacks, which contain

300 to 400 pounds of grease wool, and to examine that wool with his hand and eye, and from such examination determine the amount of scoured wool it will yield, and on that determination to base the price that may be paid for it.

I am advised from the Wool Yearbook, an English publication, that South American wools are sold upon a scoured basis, and that the commission firms in that country when they offer these wools guarantee to the buyer that a certain wool will yield a certain per cent of scoured wool, and in the event that it does not so yield, the importer or buyer is refunded the difference. This book says that all the Argentina wools are sold on this basis.

Now, much of our wool is purchased in London. Our wool buyers go to the sales in Coleman Street and sample before purchasing the various clips that are to be offered. These small samples they take to what is known as conditioning houses, where they scour the samples, and from that determine the shrinkage of the entire clip. However, many of the buyers are so expert in determining the shrinkage of these wools by a mere examination of them that they do not trouble themselves even to scour samples.

In my amendment there is no occasion for guesswork; it provides for the actual scouring of samples of imported wool. There is no reason why the Government can not as effectively and intelligently scour these samples as can the houses which do so commercially.

The scouring of wool is an extremely simple process. It represents nothing more than a washing out of the dirt and grease, such as wool may contain. The machinery incident to scouring of samples of wool could be placed on a table 4 by 10 feet in size. When the wool has been once washed in a solution largely of soap and water, the single process that remains is the drying of it. This is done by simply passing the wool through the drying machine and removing the excess of moisture.

If we have the weight of the samples that go into the scouring solution, after drying we can take the weight, and we have the amount of scoured wool. The process is almost as simple as washing clothes with the washing machine.

The amendment which I introduce, as you will notice, reduces to some extent the duty upon wool. The present law says that the duty upon a pound of wool of the first class shall be 11 cents and the duty upon a pound of wool of the second class shall be 12 cents. The law assumed and still assumes that these wools shrink 66½ per cent, for it immediately proceeds to state that when wools are imported scoured the duty upon wool of the first class shall be three times the duty assessed against it when not scoured, or 33 cents per pound. On wools of the second class when imported scoured the duty shall be three times the duty levied when it is unscoured, or 36 cents. Now, when these wools do shrink 66½ per cent, it requires exactly 3 pounds of it to make 1 pound of scoured wool; therefore, the amendment which I introduce reduces the duty on first-class wools from 33 cents a pound to 30 cents a pound, and reduces the duty on second-class wools from 36 cents per pound to 30 cents per pound. This is a material reduction—one which I think will be acceptable to the woolgrowers.

In the speech to which I have referred I demonstrated the fact that the Government has been systematically robbed of its revenue by reason of undervaluation of imports. You will observe that when the duty is based upon the scoured contents of the wool at so much per pound, there is no opportunity for defrauding the Government, and, at the same time, it is a protection to our home woolgrower.

Mr. Chairman, in the few minutes I have allowed me I wish to say that the proponents of this measure base their argument in support of the necessity of a duty at all on wool upon the fact that it will produce revenue. They all agree that under the present law the woolgrower is at least theoretically placed on a competitive basis with the foreign producer, and they are in equal accord in conceding that with the duty under the present bill he is at a disadvantage. They seek to justify themselves for this course by claiming that it is necessary in the passage of tariff laws to do so with a view of accommodating the greatest number. If this view is carried to its logical conclusion it would mean, of course, that wherever one had built up at whatever expense in money and toil an industry in this country, if a foreigner happened to be in a position to produce that thing cheaper than he, then our home citizen must be deprived of it.

But, as I have said, the claim is made that it is necessary to enact the bill for revenue purposes. In the speech to which I refer as having been made by me on last Saturday, I showed there had been carried over from year to year from 1895 to 1908, over and above consumption and exports by the importers and speculators, an average of 370,596,353 pounds of wool, and that now the Government warehouses are bursting their sides

with held-over wools, demonstrating that the speculator and importer was not only willing under the present law to pay such duties, but imported that large amount from year to year beyond what was necessary for consumption. In other words, he was willing to and did pay more than \$21,000,000 in duties last year, but by the proposed bill is permitted to deprive the Government of the difference between that sum and the \$13,000,000 estimated to be collected under the present bill, and to tighten his grasp on the throat of the woolgrower as well as the consumer.

I said in that speech, among other things, that you have sought to convince the people in a nebulous way that the masses would secure some benefit from the lowering of these duties, and I answered by saying that you have not the power to compel the importer to sell his wool at any given price nor the manufacturer his goods. You have simply, as I say, put it in their power to rob the Government in the one case and the consumer in the other; and, more than that, "bear" the price of the woolgrower on his product and ultimately drive him out of the business.

Mr. Chairman, I can not conclude my brief remarks without respectfully and prayerfully inviting the attention of the House to some of the declarations of our party and our party leaders, and hope that it will be borne in mind that we are now considering the very important subjects of reducing tariff rates and how the duties should be levied with the view of equal distribution of burdens.

Let us pause a moment and ask ourselves what was meant by President James K. Polk when he said:

The term protection to domestic industry is of popular import, but it should apply under a just system to all the various branches of industry in our country. The farmer or planter who toils yearly in his fields is engaged in domestic industry, and he is as much entitled to have his labor protected as others.

Again, what did Andrew Jackson mean when he said:

The agricultural interest of our country is so essentially connected with every other, and is so superior in importance to them all, that it is scarcely necessary to invite to it your attention. * * * The general rule to apply in graduating duties upon articles of foreign growth or manufacture is that it will place our own in fair competition with those of other countries. * * *

And what did the Democratic platform of 1888 mean when it said:

Our established domestic industries and enterprises should not and need not be endangered by the reduction and correction of the burdens of taxation. On the contrary, a fair and careful revision of our tax laws, with due allowance for the difference between the wages of American and foreign labor, must promote and encourage every branch of such industries and enterprises by giving them assurance of an extended market and steady and continuous operations.

And that of 1896, which was equally impressive in its enunciation:

The duties to be so adjusted as to operate equally throughout the country and not distinguish between class or section.

And then in 1904, when it declared that such duties should be—so levied as not to discriminate against any industry, class, or section, to the end that the burden of taxation shall be distributed as equally as possible.

Now, my Democratic friends, let me ask you in all earnestness, in view of these plain, positive, and unequivocal utterances of the great minds of our party, what possible defense can you urge to the people of this country for your undisguised purpose to strike down at a single blow one of our greatest industries, in which over a million people are directly interested? As I have before suggested, it is not claimed that under this present bill the American sheep grower will be afforded fair competition with the foreign grower; and I affirm that by no possible process of analysis is such a demonstration possible.

Mr. Chairman, the fate of the American sheep grower, his well-being, and his best interests are in the keeping of the majority of this body. May they well and truly try the issue and a true deliverance make.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUCKER of Colorado. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

Mr. HARRISON of New York. I object.

The CHAIRMAN. The gentleman from New York objects.

Mr. UNDERWOOD. Mr. Chairman, I think the point of order made against this amendment will lie, but as the amendment goes clearly to the first clause of the bill and no other section of the bill, I will not insist, but hope the motion will be voted down as clearly not in accord with the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado.

Mr. MONDELL. Mr. Chairman, I desire to discuss the amendment. Mr. Chairman, the amendment offered by the gentleman from Colorado is so lengthy and involved that it is a

little difficult for one to determine from having listened to the reading just what the gentleman proposes, but what I understand his proposition to be is that wool shall be divided into two classes; that the present classes 1 and 2 wools shall constitute class 1, and that wools that are now classified as class 3 wools shall constitute class 2, and, as I understand, on the present class 1 and 2 wools he proposes a duty of 30 cents a pound on the scoured content of the importation. On class 3 he seems to propose a compound duty, which I do not clearly understand.

Mr. RUCKER of Colorado. It is the same; 20 cents a pound on the scoured content.

Mr. MONDELL. The gentleman informs me he proposes a like duty on the scoured content of class 3 wool. In the speech which I made the other day I expressed the opinion that a specific duty levied on the scoured content of the fleece was the fairest and most equitable of all wool duties, and so I approve the purpose and intent of the gentleman's amendment, though I do not bind myself to the detail of the proposition, for I do not clearly understand it from the reading from the Clerk's desk. As to whether or not the 30-cent per pound duty which he proposes is sufficient, I think it is impossible for us to determine until we shall have secured all the information which the Tariff Board is now collecting. I would prefer not to vote on any amendment to this bill, but rather content myself with voting against it, in view of the fact that the Democratic caucus agreement prevents amendment, and feeling assured the protection which it contains is entirely insufficient, and knowing that in the absence of definite information it is difficult for one to vote intelligently on amendments. However, inasmuch as the amendment of the gentleman from Colorado is based on what I believe to be a wise form of duties on raw wool, and inasmuch as I believe the protection he proposes is perhaps reasonably adequate, I shall vote for the amendment.

Mr. RUCKER of Colorado. Will the gentleman permit a suggestion? I wish to say to the gentleman that this amendment, as I am informed, meets with the entire approval of a great majority of the woolgrowers in the country.

Mr. MONDELL. Well, I do not know whether that may be true or not, Mr. Chairman, but I do know that there are many woolgrowers who believe that the duties should be levied on the scoured content of the fleece, and it seems to me that is an infinitely better form than an ad valorem duty such as is carried in this bill, and a more equitable form of duty than that contained in the present law. [Applause on the Republican side.]

Mr. MANN. Mr. Chairman, the amendment offered by the gentleman from Colorado is long and somewhat complex. Just what it provides for I do not understand. It is a good illustration of the need of information to be received from a responsible board before we attempt to vote upon such an amendment, and, not being able to understand it, I shall not vote for it.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Colorado.

The question was taken, and the amendment was rejected.

Mr. WILLIS. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 1, lines 10 to 13, by striking out:

"On wool of the sheep, hair of the camel, goat, alpaca, and other like animals, and on all wools and hair on the skin of such animals, the duty shall be 20 per cent ad valorem."

And inserting in lieu thereof the following:

"On wool of the sheep, hair of the camel, goat, alpaca, and other like animals, and on all wools and hair on the skin of such animals, the duty shall be 44.31 per cent ad valorem."

Mr. WILLIS. Mr. Chairman, it has been stated repeatedly that the object of this bill is to produce more revenue. The amendment I have offered will add \$8,000,000 to the revenues of this Government. The truth of this statement is shown by the following table, taken from the committee report, page 65:

Items.	Present act— Results for year ending June 30, 1910.	Proposed act— Estimated results for a 12-month period.
Imports.....	\$47,687,293.20	\$66,991,000.00
Duties.....	\$21,128,728.74	\$13,398,200.00
Average unit of value, per pound, on—		
Class I.....	\$0.230	
Class II.....	\$0.259	
Class III.....	\$0.126	
All wools.....	\$0.186	
Equivalent ad valorem rate.....per cent..	44.31	20.00

Bills.	Rates.
Wilson:	
As passed House.....	Free.
As enacted.....	Do.
Springer.....	Do.
Mills.....	Do.

By the statement appearing in the committee report it is shown that the revenues under the present rates on raw wool amount to \$21,000,000 per year. It is also shown that under the proposed rates the revenues will amount to \$13,000,000 a year. The proposition involved in this amendment is to put the duty upon raw wool exactly as it stands under the present rate, but figured upon an ad valorem basis. At page 27 of the report of the committee it is shown that the average rate on first-class wool reduced to an ad valorem basis under the present law is 47 per cent; on second-class wool it is 46 per cent; and on third-class wool it is 37 per cent, making an average of 44.31 per cent according to the figures of the committee. The portion of the report referred to is as follows:

In the fiscal year 1910 the duties collected on the imports of raw wool amounted to \$21,128,728.74. Of this amount \$12,289,700.72 was received from wools of class 1, of which the average import value was 23 cents per pound, and on which the average ad valorem equivalent of the duties collected was 47.54 per cent. Class 2 wools yielded \$3,212,413.03 in duties, the average import value being 25.9 cents per pound and the average ad valorem equivalent of the duties collected 46.25 per cent. Class 3 wools yielded \$5,626,614.99 in duties, the average import value being 12.6 cents per pound and the average ad valorem equivalent of the duties collected 37.79 per cent. On all the raw wools of the three classes the average import value was 18.6 cents per pound, and the average ad valorem equivalent of the duties collected was 44.31 per cent.

I have taken those figures, and I propose in the amendment that the rate shall be retained at that figure. And I want to say, Mr. Chairman, that if this amendment is adopted not only will you subserve the purpose that has been set forth many times in this debate, particularly this morning by the gentleman from Missouri [Mr. SHACKLEFORD], when he repeated again and again that the object of this bill was to get revenue, but here is an amendment which, if adopted, will save to the Government of the United States \$8,000,000 of revenue per year, and at the same time will preserve a great industry which will be ruthlessly stricken down if you pass the bill without the amendment.

Mr. Chairman, I will say further that this will not defeat the object that gentlemen on that side have in view in cheapening the cost of clothing, because the rate of duty on raw wool has practically no effect upon the price of a suit of clothes. For example, I turn to the committee report, at page 41, and there is given an illustration of the ordinary suit of clothes made of a fabric weighing 9½ ounces to the yard. And then a little bit farther down on the page it says:

It requires 3½ yards of cloth to make a suit.

Well, according to those figures, then, 3½ times 9½ ounces would make approximately 32 ounces, or approximately 2 pounds would be the weight of the woolen cloth in the suit.

Now, on the preceding page of the report, page 40, is set forth the fact that the present basis is 4 pounds of unwashed wool to the pound of cloth, and the committee says, and I think probably they are right in this, that that is too high. The portion of the report referred to is as follows:

The existing rates on secured wools are based on the supposition that 3 pounds of unwashed wool are required to make 1 pound of secured, and the compensatory duty on cloth on the supposition that an additional pound of unwashed wool, or one-third more of the secured contents, is required in going on through the manufacture of 1 pound of cloth. This appears to be an excessive allowance for either woolen or worsted cloth in general.

If it takes 4 pounds of raw wool to make a pound of cloth, then by the most liberal estimate, and an estimate which the committee itself says is too high, you have 8 pounds of wool entering into a suit of clothes. And figuring on the present basis, the amount of duty would be only 88 cents, and, as a matter of fact, that is too high. It ought not to be figured, perhaps, more than 3 pounds, and that would make the amount of duty 66 cents on a suit of clothes. Now, does anyone suppose that if you take the tariff off this wool that the tailor is going to sell a \$15 or \$20 suit of clothes at a reduction in price of 66 cents?

In view of the fact that to-day's statement of the Treasury Department shows that the Treasury is more than \$70,000,000 better off than it was one year ago, there is no foundation for the claim made on that side that there is immediate financial necessity for this legislation.

But if more revenue were needed, as is claimed by the committee, then this amendment I have offered should prevail, be-

cause while saving from destruction the great woolgrowing and sheep-raising industry of the country, it at the same time will increase the annual revenues under this proposed measure \$8,000,000 without increasing the price of clothing one penny to any American consumer. As it is now, the American farmer gets less than \$1.30 for the wool that goes into a suit of woolen clothes.

If all the tariff on wool were added to the price of the manufactured article, it would not amount to 75 cents on an all-wool suit of clothes. Does anyone think that under free wool a \$20 suit of clothes would sell for \$19.25? Certainly not! The manufacturer might gain by getting his wool cheaper temporarily, but the consumer would have to pay the same for woolen clothing as before (if under this Democratic plan of destruction he shall have anything to buy with), and at the same time the industry of woolgrowing and sheep raising in the United States will be annihilated. In the name of 75,000 woolgrowers and farmers in Ohio I plead for the adoption of this amendment.

I submit a statement by S. W. McClure, secretary of National Woolgrowers' Association:

IN REALITY NO PROTECTION AT ALL.

If the House passes its bill placing the duty on fleece wool at 20 per cent, this will give the growers an actual protection against foreign wools of from 2 to 3 cents per pound, which, in reality, is no protection at all. Since the Democrats assess the duty on the value of the imported wools, it necessarily follows that only the lower grade of wools will be imported, for the duty on them will be less than on the higher quality of wools. In other words, this tariff encourages the importations of poor wools.

Wool can be grown in Australia, South America, and Africa for considerably less than half of what it costs to produce it in this country. Therefore, without adequate protection, our growers will soon be driven out of the sheep business, and if this Democratic wool bill should pass the value of American sheep will shrink \$150,000,000 in less than five years.

OVER A MILLION WOOLGROWERS.

The census of 1900 showed 765,000 woolgrowers in the United States, and the next census should show over 1,000,000 individual growers. You can not bring financial distress to 1,000,000 American farmers without disturbing in a large degree the commercial progress of the country. The sheep of the United States are valued at \$233,000,000, and the lands upon which they feed are valued at \$300,000,000 more. Thus, the sheep industry represents an investment of \$533,000,000. Is this to be destroyed purely in the interest of political expediency?

We have in the United States, according to Government figures, over 57,000,000 sheep that last year produced 330,000,000 pounds of wool. Under the present tariff law the sheep of the United States have increased 49½ per cent in number and 248 per cent in value in the past 14 years. In addition to this increase, we slaughtered last year 15,000,000 mutton that had a powerful influence in keeping down the price of other foods.

NO INFLUENCE ON THE PRICE OF CLOTHING.

The tariff on wool has never had any influence on the price of clothing, and everyone understands this who has taken the pains to investigate it.

An all-wool suit of clothing which you buy from your dealer for \$40, or from the store for \$25, if of the usual summer weight, contains, if it be all wool, just 7½ pounds of wool as it comes from the sheep. For fine merino wool our growers now receive about 16 cents per pound; and figuring 8 pounds to the suit, it would make the wool that went to make a \$40 suit of clothes cost just \$1.28. That is all the woolgrower gets out of the suit, in spite of the tariff. You can figure this out for yourself. The average suit of clothes requires 3½ yards of cloth; the cloth weighs from 10 to 16 ounces per yard. There are very few suits of clothes, regardless of what they may sell for, that the woolgrower gets as much as \$2 for furnishing all the wool that goes into them. At present prices it is almost impossible to put \$2 worth of wool in a summer suit. The value of the wool contained in the suit is so small that it is never a factor in regulating the price for which the suit must be sold.

WHAT IT HAS SAVED THE AMERICAN PEOPLE.

The tariff on wool has saved the American people hundreds of millions of dollars, for it has built up in this Nation a sheep industry that furnishes our people annually with 330,000,000 pounds of the best wool in the world. American wool is superior to any imported wool, and clothing made from it will wear from 25 to 60 per cent longer than cloth made from similar grades of foreign wool. The only reason for using foreign wool in our clothes is that it may be purchased cheaper than domestic wool. Australia and South America recognize the superiority of the American wool-producing sheep, and in many instances they have purchased from us sheep for the improvement of their foreign flocks. I have been told by manufacturers and wool experts, men who have spent a lifetime in the business, that foreign wools, as imported, do not compare with ours in wearing quality. Our Government recognizes this fact, and in letting contracts for woolen clothing for both Army and Navy specifies that nothing but American wool shall be used in their manufacture.

The woolgrowers of the Nation only ask for a square deal. They have endorsed the idea of a Tariff Board to ascertain the difference in cost of producing wool in this and foreign countries. The representative of the Tariff Board has gone to the home of the woolgrowers and has been welcomed there in an endeavor to obtain the true facts as they relate to the sheep industry. The Tariff Board has sent expert accountants to many of the sheep ranches, who have gone over the books of the sheepmen in a very careful manner. This board will report its findings to the American people next December, and the woolgrowers only ask that action upon the wool tariff shall be delayed until this report makes it possible for Congress to know just what protection our sheepmen are entitled to.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Ohio [Mr. WILLIS].

The question was taken, and the amendment was rejected.

Mr. GRAY. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Indiana [Mr. GRAY] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Resolved, That H. R. 11019, the same being a bill to reduce the duties on wool and manufactures of wool, be amended by striking out all in lines 10 to 13, inclusive, on page 1, and being paragraph 1 of section 1 therein, and inserting in lieu thereof the following:

"1. All wool of the sheep, hair of the camel, goat, alpaca, and all other like animals, and all wool and hair on the skins of such animals, when imported into the United States, shall be exempt from duty."

And that the remaining paragraphs of section 1 of said bill be re-committed to the Ways and Means Committee with instructions to amend the same by reducing the duties on manufactures of wool to an average of 20 per cent ad valorem.

Mr. UNDERWOOD. Mr. Chairman, I reserve a point of order on the amendment of the gentleman from Indiana.

Mr. GRAY. Mr. Chairman, certain charges have been made here against the Democratic caucus by the two honorable gentlemen from the State of Illinois [Mr. MANN and Mr. CANNON], and also on the floor of this House by certain other gentlemen. But I take no exceptions to the charges, nor the criticisms from insurgent Republicans, because these men are consistent and practice what they preach, but I do take exceptions to the charges from these other men, because they are inconsistent and they do not practice what they preach. They say nothing against the procedure of their own caucus, and I take it that a man who has not the moral courage to denounce a bad thing in his own party has no standing to make charges against and criticize his opposing party. [Applause on the Democratic side.] These gentlemen have never been in a Democratic caucus, and they are evidently judging a Democratic caucus from the proceedings of a Republican caucus.

Mr. MADDEN. Mr. Chairman, I make the point of order that the gentleman is not talking to the point of order.

Mr. GRAY. Mr. Chairman, I submit that this is responsive to the criticism from these men.

Mr. MANN. Mr. Chairman, I hope my colleague [Mr. MADDEN] will not insist upon his point of order. Let the gentleman from Indiana proceed.

Mr. MADDEN. The Chair has not acted upon the point of order that is pending.

The CHAIRMAN. The point of order was reserved, and the gentleman from Indiana [Mr. GRAY] will continue.

Mr. GRAY. What I wanted to say, Mr. Chairman, was that these men are judging our caucus by their own caucus, and from their charges certainly a Republican caucus must be bristling with the gag rule, shrieking with the strains of the steam roller, and doleful with the walls of the crushed. But I say to you, Mr. Chairman, such is not the proceedings of a Democratic caucus. I am a member of the Democratic caucus, and believe that I am in good standing, and yet under the rules of that caucus I am permitted to stand here on this floor and make a motion to amend the bill reported at the caucus and to move this House to place wool on the free list and reduce the duties upon manufactured wool to an average rate of 20 per cent ad valorem, and I am free to vote for any and all amendments which, in my judgment, I may see fit to support. So I say to these gentlemen that their criticisms are not well taken.

Mr. Chairman, along with the tariff on woolen clothing, behind which the woolen manufacturers have entrenched themselves for 50 years to exact millions in tribute annually from the people, there is a tariff on raw wool, placed there and kept there at the demands of the woolen manufacturers themselves. And while this tariff would have the effect, if allowed to operate, to increase the cost of the manufacturers' raw material, yet we are confronted with the spectacle of the woolen manufacturers, their agents, attorneys, and special representatives entreating and imploring Congress to allow the tariff on wool to remain, and to permit them to continue the payment of a tax on their raw material. Why have the woolen manufacturers thus demanded, and why are they still demanding, a tariff upon wool and asking to be permitted to continue the payment of this tax? Let no man be deceived in their purpose. It is a stratagem to gain the woolgrowers' support for a tariff upon manufactured wool, to blind him with self-interest, to make him a party to the crime of extortion, and to close his mouth against the evils of private monopoly and the exploitation of the consumers of woolen clothing.

Monopoly and extortion never ask in their own name, but always for and in the name of others. The woolen manufacturers' demand for a tariff upon wool is a subterfuge to claim a tariff for themselves on manufactured wool under the name of

the woolgrowers. It is to disguise the Wool Trust in the cloak of the shepherd to deceive the people and decoy them to support a tariff on woolen clothing.

And the woolen manufacturers can well afford to make this bargain with the woolgrowers, for the manufacturers do not live up to their promise to divide the tribute collected off of the people. But if the manufacturers did so divide with the woolgrowers they would only have to add any increase in price of wool they paid to the price of their cloth and collect it back off of the consumers, and would make the woolgrowers pay their own tribute.

During the last 13 years the tariff upon Indiana one-fourth blood wool, unwashed, has been 11 cents per pound, and yet the average Boston price for these years has been less than 4 cents per pound above the London market for the same class of wool, and in 1903 the price was only 3½ cents higher, in 1907 only 3½ cents higher, in 1908 only 4 cents higher, in 1908 only 1½ cents higher, and in 1910 only 1 cent higher per pound in the Boston market over the foreign price at London. The reason for this is plain. The farmers and woolgrowers have never been able to organize and cooperate to hold their product, while the woolen manufacturers have long been combined as a trust, and thus acting as one buyer they offer the woolgrower whatever price they determine to pay in directors' meeting, and the woolgrower has to take it.

While the tariff of 11 cents per pound remained the same during all these years, the price of wool fluctuated with each year. If the tariff had been the controlling factor in fixing the price of wool and the measure of that price, as the woolen manufacturers promised the woolgrowers it would be, the price of domestic wool would have been maintained uniformly 11 cents higher than the foreign markets. The tariff was always to control the price of wool before the election, but the Woolen Manufacturers' Trust has been the potent factor of control after the election.

But this is not all. While the woolgrowers have been induced to support a tariff upon woollens on the promise of being allowed to share in the tribute exacted from the consumers of woolen clothing, the woolen manufacturers have been collecting an average tariff tax of 90 per cent off of the American people, including the woolgrowers themselves, amounting, as variously estimated from official figures, from \$175,000,000 to \$200,000,000 annually.

The value of the manufactured wool produced in the United States for 1909, with imports added and less exports, leaving the amount consumed in the United States for that year, was \$530,862,522. Taking the average tariff rates of the Dingley and Payne laws at 90 per cent, as officially ascertained, it is found that the enhanced price of manufactured woollens which the consumers are compelled to pay on account of the tariff, is the sum of \$251,461,247. Deducting from this amount the amount of revenues collected from imports on woollens leaves the amount paid to the woolen manufacturers as increased price by reason of the tariff \$228,403,890. And for the purpose of illustration, conceding that the woolen manufacturers had lived up to their promise to divide the tribute collected off of the American people on the basis of 11 cents per pound of wool on the amount of wool produced that year in the United States, 323,110,749 pounds, and amounting to \$36,092,182, the woolen manufacturers were safe in making the bargain, even if the woolgrowers could have held them to the trade, for they would have still been collecting off of the people \$215,279,461 more than they had obligated themselves to pay out to the woolgrowers to secure their support of the 90 per cent tariff upon manufactures of wool.

While under this promise to divide profits with the woolgrower, and while the American people have been paying, at a most conservative estimate, from \$175,000,000 to \$200,000,000 annually to stimulate and encourage the sheep industry, the number of sheep in Indiana, as shown by the bureau of statistics of that State, has declined from 832,856 in 1900 to 710,238 in 1909, and the wool clip from 4,537,975 pounds in 1900 to 3,939,168 pounds in 1909.

The woolen manufacturers tell us the excessive tariff of the Payne bill is to protect the woolgrower. Assuming the roll of philanthropist, they say they appear not in their own interest, but only to guard the welfare of others. This plea of defending others is a subterfuge as old as history. It is a pretext to hide and cover up that which can not be openly defended. Every man who has enslaved another man has enslaved him under the claim of charity and benevolence for the enslaved. Every nation which has conquered another people to exact tribute from them has entered upon its campaign of subjugation under the pretense of improving and bettering the state of the subjugated. Every imposition heaped upon one man

by another by and through deceptive forms of legislation has been heaped upon him under the pretense of protection and safeguarding the welfare of the burdened. Oh, farmer and wool-grower, what crimes are committed in thy name!

To say nothing of the interests of the consuming public, the time is at hand for the inauguration of a new commercial policy. The growth of our manufacturing interests will hereafter not be measured by a monopolized, exclusive market at home, but by the development of a broad open market abroad. Our industries, even from the most selfish and mercenary standpoint, must no longer seek to profit by protection against the world's markets, but must prepare to meet open competition and conquer by merit and policy of commerce.

The merits of free raw material have been denied in this debate as a tariff-reform measure. Manufacturers must be free to produce from crude products and raw materials of the earth and to sell them without restriction from retaliatory tariff barriers and in the freedom of open trade, if we demand they sell at home as cheap as abroad.

While we are denying the right to give manufacturers undue advantage of monopoly, it is not the purpose to place them at a disadvantage, but only to remove an artificial industrial basis and furnish a merit foundation. It is the purpose to compensate them for the loss of a limited exclusive market based upon monopoly by giving an enlarged and world market, and to change the system of profits from extortion to profits by increased production and volume of business.

Taxing raw material gives foreign manufacturers an advantage, and affords the foreign manufacturer an actual protection against competition from the home manufacturer, and gives the home manufacturer at once a standing from which to plead for a high compensatory tariff, and an apology for discriminating against the home consumer.

After the woolen manufacturers have made a plea for and secured a tariff placed upon raw wool, they adroitly add:

"American woolen manufacturers demand no reduction in the duty on raw material; they only ask that they shall continue to be sufficiently compensated for the increased cost of raw material to protect them from the lower price at which foreign manufacturers are able to obtain their wool."—Julius Forstmann, president of Forstmann & Huffman Co., woolen manufacturers, Passaic, N. J., in a pamphlet addressed to Members of Congress during this debate on the wool schedule.

And having once justified their claim on the grounds of compensation for the duty paid by them on raw wool, and still claiming for the woolgrower, the manufacturers assume the right to fix the limit of the compensatory duty and make it prohibitory, all in the name of charity and benevolence for the woolgrower. And as long as the woolen manufacturers can plead protection under the name of the woolgrowers they can not only hold the allegiance of the woolgrowers by dangling before their eyes a division of tribute to be exacted from the people, but can use the woolgrower as a decoy to secure the support of the woolgrowers' unsuspecting friends.

Give our manufacturers free raw wool and the right to produce from the open markets of the world, and you take away the delusive claim adroitly made for a compensatory tariff and the right to dictate the limit of the protection thus justified.

Give our manufacturers an equal footing and basis of production from free raw wool with foreign manufacturers and you remove from them the basis for the delusive plea of compensatory duties, without which there can be no pretext of justification for selling higher at home than abroad. The raw-material rebate clause is a crafty device to reach out in the world's market while holding monopoly intact at home.

Our manufacturers themselves are to-day recognizing the growing necessity of a broad world market and increased sales, with profits based upon a greater volume of business than upon monopoly and exclusive sales in a limited market, and they are likewise beginning to appreciate the benefit of an equal basis of production resulting from free raw material enjoyed by manufacturers abroad. The proposed Canadian reciprocal agreement comes from the manufacturing interests as an effort to extend their markets abroad, and is the one first step which will lead to many more until greater freedom and extension in commerce is attained. While the reciprocal agreement standing alone is not fair to the interests of the consumer, the free-list measure lately passed by this House makes the consumer and manufacturer walk hand in hand in the enjoyment of a greater and more unrestricted trade.

Along with our pledges to revise the tariff is the promise to levy the lowest duties upon necessities and the highest upon luxuries and nonessentials. While sharing the highest regard for the opposing views of my colleagues, as supported by the almost unanimous judgment of the caucus, and appreciating the weight of the able argument advanced for a compromise

ground to insure united support for the bill, yet, as I construe our position, the excessive and exorbitant duties of the wool schedule under the Payne law should be still further reduced, and to an average duty of not to exceed 20 per cent ad valorem, with the highest rates laid upon luxuries of dress and the lowest upon the common essentials of comfort; and to avoid the claim and argument from manufacturers of compensatory duties, wool should be made duty free. The deficiency of revenue thereby resulting can be made up by a tariff of 20 per cent ad valorem imposed upon rough diamonds, raw silk, and india rubber, now duty free under the Republican free list.

On the basis of importations of manufactured wool for the year ending June 30, 1910, and valued at \$23,957,357.78, at 20 per cent duty the revenue derived would be \$4,611,471.55. The importation of rough diamonds and precious stones for the same year ending were of the value of \$10,557,800, which, at 20 per cent duty, would yield a revenue of \$2,111,560. The value of the imports of raw silk for that period was \$67,129,603, and upon which a 20 per cent duty would bring into the Treasury \$13,425,920, and the imports of crude rubber and substitutes were in the sum of \$106,851,475, which, at 20 per cent duty, would produce \$21,372,295, or, in all, making a total revenue upon the basis of importations for said year of \$41,521,246.55, with 20 per cent duty on woollens, and raw wool on the free list. The duties collected under the Payne law for the year ending June 30, 1910, with a tariff of 44 per cent duty upon raw wool and an average duty of 90 per cent on woollens were \$41,904,549.50. The duties estimated for the pending bill, with 20 per cent duty on raw wool and 42.55 per cent duty upon manufactured wool, with imports estimated at \$63,831,000, are \$40,556,200.

The iniquities of the Payne-Aldrich tariff law are observed by a mere glance at the wool schedule, disclosing exorbitant and excessive rates of duty imposed. The rates upon many of the items of this schedule are prohibitory, and the people are left without the semblance of protection from competition. Yarns under 30 cents per pound in value are taxed 159.75 per cent; blankets valued at not more than 50 cents per pound are taxed 105.50 per cent; cloth valued at not more than 40 cents per pound is taxed 144.05 per cent; dress goods valued at not above 70 cents per pound are taxed 103.75 per cent; flannels weighing over 4 ounces to the yard and valued at less than 70 cents per pound are taxed 121.62 per cent. The present bill under consideration of the House reduces the duties by more than one-half. The duty on yarn is fixed at 30 per cent; on cloth and knit fabrics, 40 per cent; on blankets and flannels, 30 to 45 per cent; with corresponding reductions upon other items.

This bill is a good bill, but it would be a much better bill if it carried out further the principle of levying the lowest taxes upon necessities and the highest upon luxuries and nonessentials by reducing the tariff on manufactures of wool to an average of 20 per cent and taxing rough diamonds, raw silk, and crude rubber. It would be a much better bill if it invaded the Republican free list and levied a tax upon raw materials that enter into the production of luxuries and nonessentials and placed wool used in the manufacture of a vital necessity on the free list instead. It would be a better bill if it took away from the Wool Trust the vantage ground of a tariff on wool from which to recruit support through delusive promises of gain to the woolgrower from the helpless consumer under stifled competition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman have five minutes more.

Mr. SIMS. I join in that request, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Indiana be allowed five minutes more. Is there objection? [After a pause.] The Chair hears none. The gentleman will proceed.

Mr. GRAY. I thank the gentleman. A tariff on raw wool, if allowed to remain, will nullify the doctrine of free necessities, furnish an argument to restore the duties on lumber and hides, call a halt to the further extension of the free list in the vital necessities of life, and destroy the only principle under which the people can hope for relief from tariff exactions—the principle that the taxing power can only be lawfully invoked for public purposes.

If we want to be free from the burdens of an excessive tariff, if we want relief from private monopoly, if we want to escape tribute to the special interests, we must first ourselves renounce the right to levy taxes for private purposes. We can not invoke relief under a principle while we deny and violate it ourselves.

If we believe in serving the greatest good to the greatest number, if we subscribe to the policy of equal and exact justice to all and special privileges to none, if we hold the common welfare above private gain, if we adhere to the doctrine that a private monopoly is intolerable and indefensible, we can not vote for a protective tariff upon one of the vital necessities of life and justify ourselves upon the grounds of loyalty to local private interests.

The tariff is more than a local question. It is a selfish question, a question in which the selfish interests of the few are always clamoring to prevail over the welfare of the many. Whenever we open the door to private selfish interests we break the ranks of unity and good faith to the public, and no congressional district will be found so poor, so barren, or so unproductive that its Representative in Congress can not justify the desertion of principle by claiming the right to favor local private industry.

But they tell us from the other side that a high tariff is to protect our labor from competition with labor abroad, that if we lower the tariff foreign labor, now hungry and starving, will take our work and home labor will be idle. I deny that the welfare of our labor is dependent upon the downfall of foreign labor. I deny that it is necessary for foreign labor to perish that our labor shall prosper. I deny that it is necessary for the labor of other lands to be destitute in order for our labor to be fed and clothed and sheltered. I repudiate that doctrine. While there is a difference in the standard of living, there is a corresponding difference in capacity to produce in favor of American labor equalizing the wage scale, and I hold that, in many substantial matters, labor here and labor abroad have a common interest, a common cause, and a common object to obtain. I hold that the downfall of labor in one country has the effect to jeopardize the welfare of labor in every other country. I hold that the elevation of labor in one land has an influence to raise the standard and sustain the independence of labor everywhere. I hold that this effort to prejudice American labor against their brothers across the seas is only to divide the forces of industry and make them the easy prey of rapacious greed. The employer who sounds this alarm against foreign labor with hue and cry so loses his fears and apprehensions when he fails to agree with home labor on the wage scale that he imports foreigners to take their places.

Statistics from the Census Bureau, as ascertained by the Tariff Board and shown in its preliminary report, discloses that woolen and worsted goods were produced in the United States in 1909 of the value of \$419,826,000, while the total wages paid, including salaries, for such production was \$79,214,000, or less than 19 per cent of the value of the production, and more accurately stated at 18.79 per cent. If labor is performed gratuitously to produce woolen and worsted goods abroad and costs nothing, and the whole labor cost here is the difference in labor cost here and abroad, a 20 per cent duty upon woolen and worsted goods, with wool on the free list, would be more than a compliance with the standard which the protectionists declared for before the elections—a tariff to equalize the difference in the labor cost. Under these statistics what justification can there be for the 90 per cent duty on woolen goods in the Payne bill without resort to the pretext for compensatory duties on account of the tariff upon wool.

Now, shall I have five minutes more? [Laughter and applause.]

Mr. MANN. I hope the gentleman may have it.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from Indiana [Mr. GRAY] be extended five minutes. Is there objection?

There was no objection.

Mr. GRAY. Members of this House are elected not only to represent their own districts especially, but all districts generally as well. It is their duty to serve not only the greatest good to the greatest number in their own districts, but to consider the greatest good to the greatest number in all districts.

No duty is enjoined upon Members of this House by reason of their office to burden not only the majority of their own constituents but the whole of the great consuming public in order to favor a few individuals or a single private industry in their own district. Such a policy is representing the few instead of the many and serving private interests at the expense of public welfare. There never can be relief from the burdens of the tariff while men are willing to surrender principle to favor local private interests. Whenever we claim the right to impose a protective tariff upon one of the necessities of life because that article is produced in our congressional district we stultify our principles and justify like burdens imposed upon

every other necessary. We preclude tariff reform and perpetuate private monopoly.

I, too, come from a woolgrowing district, but I hope that that fact will not deter me from my duty to serve the greatest good to the greatest number, nor impair my obligations to all the people and the great consuming public, nor lead me to act upon my fears instead of my convictions of justice and right. I hope I can realize that while a part of the people of my district have wool to sell that all the people from my district have clothing to buy, and that the right to buy clothing is as sacred a right as the right to sell wool. And I hope I can appreciate that the laboring man, when he looks into the faces of his wife and children, with winter impending, realizes as great a responsibility before him as the man who raises sheep or the wool manufacturer, who claims the right to draw dividends on watered stock. [Applause on the Democratic side.]

Mr. UNDERWOOD. Mr. Chairman, I insist on the point of order. A part of the motion is a motion to recommit the bill.

Mr. GRAY. I will say, Mr. Chairman, in order to make this motion effective, if the gentleman from Alabama insists upon his point of order, I have an amendment here that I can file to this paragraph, which amendment will not be subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. FRENCH. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend page 1 by striking out all of the paragraph following the word "animals," in line 12, and inserting in lieu thereof the words "25 cents per pound on the basis of scoured wool, and the Secretary of the Treasury is authorized to make such provisions as may be necessary to determine the quantity of scoured wool contained in all wool that may be imported."

Mr. FRENCH. Mr. Chairman, just a few words upon the amendment that I have proposed. I will say that I have let the language of the bill stand, in so far as possible, so far as this particular paragraph is concerned. My amendment calls for the striking out of the words "20 per cent ad valorem."

I have proposed this amendment—to strike out that part of the paragraph—because I believe that the ad valorem basis for a duty upon wool is a wrong basis. It is wrong from the revenue point of view because you have no certainty of the amount of revenue that can be collected from one year to another. It is absolutely false from the standpoint of protection because the very times when the producers of wool need protection most they have the least protection, and when they need protection least they have the greater protection.

I have proposed that the basis be specific, and that it be 25 cents per pound upon scoured wool. Under the present law the duty rests upon the basis of wool in the grease, requiring theoretically something like 3 pounds of wool in the grease to make 1 pound of scoured wool; or, in other words, theoretically a protection of 33 cents a pound upon scoured wool.

This amendment proposes that it shall be 25 cents per pound upon that basis, and removes the opportunity for the great wrong that has been made possible, as I see it, by figuring the protection upon the basis of wool in the grease. We all know that wool is imported into this country having a shrinkage of 12 per cent, 15 per cent, and as high as 50 per cent; and while the wool from my State shrinks 67 per cent, very little wool is imported from foreign countries that has a shrinkage of that amount. This amendment then, if it prevails, will provide a basis that will be absolutely fair to the grower of wool, absolutely fair to the manufacturer, because he will know just exactly what he is importing, and it will be absolutely fair to the country at large, because it will be easily understood, and there can be no opportunity, as I see it, for a wrong to exist in the importation of wool under the guise of a protection that rests upon a wrong basis.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Idaho [Mr. FRENCH].

The question being taken, the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Insert before the word "goat," in line 10, page 1, the word "Angora."

Mr. MOORE of Pennsylvania. Mr. Chairman, the reason for this amendment is an endeavor to relieve the gentlemen on the other side, and particularly the gentleman from Missouri [Mr. SHACKLEFORD], who seemed a little while ago to be in a hole. The bill H. R. 11019 provides in the paragraph now under discussion that "on the wool of the sheep, hair of the camel, goat, alpaca, and other like animals, all wools and hair on the skin

of such animals, the duty thereof shall be 20 per cent ad valorem."

The Payne tariff law, which has come in for so much criticism, provides in section 583 that there shall be on the free list the "hair of the horse, camel, and other animals, cleaned or uncleaned, drawn or undrawn, but unmanufactured and not specially provided for in this section, and human hair uncleaned and not drawn."

Now, Mr. Chairman, our friends on the other side are making appeals in behalf of the consumer who uses manufactured products that come from raw material furnished by wool producers. They claim that the reduction of the tariff will reduce the cost of living to the consumer, and particularly the cost of clothing. Here we have an illustration of how an attempted reduction of duty works with respect to the consumer, and also with regard to the wool producers for whom fervent appeals have been made on the other side.

The Payne tariff law actually placed on the free list these various wools and hairs to which I have referred in section 583. These materials very largely affect those commodities which the consumer, for whom our friends on the other side appeal, uses. They enter into the manufacture of clothing.

The bill bearing the name of the gentleman from Alabama [Mr. UNDERWOOD], proposes to let these raw materials, which help to provide cheap clothing, and which are put on the free list of the Payne bill—proposes to put against these commodities a duty of 20 per cent ad valorem. It seems to me that this is a hole from which the gentleman on the other side should be extricated, and I offer the amendment in order that such a remedy may eventuate.

Mr. UNDERWOOD. Mr. Chairman, the bill was not written for protection but for the purpose of raising revenue. The hair that the gentleman refers to is used for horse blankets. It was proposed by some that we refuse to tax third-class wool because it was not competitive wool, and only levy the tax on the first and second class wools that were competitive wools. I can see very readily how a Republican could levy a tax that way because he is legislating for protection, but when we levy a tax on certain classes of articles for the purpose of raising revenue, it is not within our function to discriminate between levying a tax on goat's hair that is used for horse blankets and goat's hair used for clothes. I think the amendment ought to be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was lost.

Mr. MORGAN. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amend by adding the following after the last word in line 13, page 1: "Provided, That when under existing law, or any law hereinafter enacted, it shall be finally determined by any court, board, commission, or other competent and legal authority, having jurisdiction in such cases, that any article or articles hereinafter mentioned enter into competition with trust-controlled products, then the said article or articles when so imported shall thereafter be admitted free of duty until such time as said article or articles shall cease to enter into competition with trust-controlled products."

Mr. UNDERWOOD. Mr. Chairman, I make the point of order that the amendment is not germane.

Mr. MORGAN. Mr. Chairman, I hope that the gentleman will withhold his point of order.

Mr. UNDERWOOD. Mr. Chairman, I will say to gentlemen on that side if they want to discuss this wool bill I am willing to let this debate run on, but if they propose to offer amendments and to discuss questions that are not in line with the bill before this House I shall move to close debate.

Mr. MORGAN. I would like to have five minutes, Mr. Chairman.

Mr. UNDERWOOD. Mr. Chairman, I insist upon the point of order.

The CHAIRMAN. Does the gentleman from Oklahoma desire to discuss the point of order?

Mr. MORGAN. Mr. Chairman, I move to strike out the last word.

Mr. UNDERWOOD. Mr. Chairman, does the Chair sustain the point of order?

The CHAIRMAN. The Chair sustains the point of order.

Mr. MORGAN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Oklahoma moves to strike out the last word.

Mr. MORGAN. Mr. Chairman, the amendment which I have offered to section 1 of this bill is as follows:

Provided, however, That when under existing law, or any law hereafter enacted, it shall be finally determined by any court, board, commission, or other competent and legal authority having jurisdiction in such cases, that any article or articles hereinafter mentioned enter

into competition with trust-controlled products, then the said article or articles when so imported shall thereafter be admitted free of duty until such time as said article or articles shall cease to enter into competition with trust-controlled products.

A point of order was made against the amendment, and the point of order has been sustained. Without questioning the correctness of the ruling of the Chair, I want to state briefly why such an amendment was offered.

The Democratic national platform of 1908, in the paragraph relating to the tariff, contains the following:

We favor the immediate revision of the tariff. Articles entering into competition with trust-controlled products should be placed upon the free list.

Mr. Chairman, here is a plain, definite, specific, certain, and positive declaration by the Democratic Party in the national platform that "articles entering into competition with trust-controlled products should be placed upon the free list."

If this promise made by the Democratic Party is to be carried out, there is only one way it can be done and that is to first ascertain, before revising a schedule of the present tariff law, whether or not the articles in that schedule or any of them "enter into competition with trust-controlled products." If it shall, as a preliminary fact, be ascertained that the articles are in competition with trust-controlled products, then unless these articles are placed on the free list the Democratic majority in this House violates the pledge in the platform.

In support of this bill the Democratic majority of the Ways and Means Committee has submitted a lengthy report, consisting of nearly 300 pages. But there is no information in that report as to whether or not any of the articles included in Schedule K, or the woolen schedule, are trust-controlled products. Yet, if this schedule is to be revised in harmony with the declaration in the Democratic platform, the most important information of all is whether or not these articles, or any of them, are trust-controlled products. I am sure, for one, that I would like to have this information. I would like to know whether the articles involved are the products of a trust or are manufactured by factories in free competition with each other. It has been charged in this debate that the American Woolen Co. is a trust. But this matter has not been ascertained by any authority with power or jurisdiction to act. But you propose to pass this bill without any effort on your part to ascertain the facts, and by so doing you are ignoring your platform and violating your promises to the people. For in this bill you announce that you have fixed the schedule of rates solely with a view to raising the largest amount of revenue, and lose sight entirely of whether or not any of these articles are controlled by a trust.

Of all the great questions before the American people to-day, the most important of all is the proper regulation and control of our great industrial corporations, commonly known as trusts. I do not myself think that these corporations can be controlled or regulated by the adjustment of the tariff on the articles they manufacture. But in amending the present tariff law, and in determining the degree of protection allowed, I for one would certainly take in consideration the matter of the competition at home. I would not only exercise great care to protect properly every industry in which there is free competition at home, but would exercise equally as great care to see that undue encouragement, aid, and assistance were not given to industries that would be classified as trusts or monopolies.

Mr. COX of Indiana. Mr. Chairman, will the gentleman yield for a question?

Mr. MORGAN. Certainly.

Mr. COX of Indiana. Would the gentleman vote to put steel and all steel commodities on the free list?

Mr. MORGAN. Mr. Chairman, I can not in advance say how I will vote on any bill to amend the tariff law, because every bill involves so many propositions. But when these bills shall be presented from time to time, I shall give them my earnest and conscientious attention and vote as I think will best serve the business interests of this country, provide employment at good wages for the laboring men of the Nation, and promote alike the welfare of both producers and consumers.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX of Indiana. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for two minutes.

SEVERAL MEMBERS. Regular order!

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

2. On all nolls, top waste, card waste, slubbing waste, roving waste, ring waste, yarn waste, bur waste, thread waste, garnetted waste, shoddies, mungo, flocks, wool extract, carbonized wool, carbonized nolls, and on all other wastes and on rags composed wholly or in part of wool, and not specially provided for in this act, the duty shall be 20 per cent ad valorem.

Mr. MANN. Mr. Chairman, I offer the following amendment. The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Amend, page 2, line 3, by striking out the word "shoddies."

The question was taken, and the amendment was rejected.

Mr. MANN. Mr. Chairman, I offer a further amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 2, line 5, by striking out the words "on rags composed wholly or in part of wool."

The question was taken, and the amendment was rejected.

Mr. MANN. Mr. Chairman, I offer a further amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 2, line 6, by striking out the words "in this act."

The question was taken, and the amendment was rejected.

Mr. MURDOCK. Mr. Chairman, I offer the following amendment to paragraph 2.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by adding, after the words "ad valorem," in line 6, page 2, the following: "Provided, That all combed wool or tops, made wholly or in part of wool or camel's hair, shall be admitted free of duty."

Mr. MURDOCK. This is one of four amendments I wish to offer to the bill, amendments seeking to bring in free of duty certain products in the manufacture of wool. The first, the one just offered, relates to tops, and if I can have the indulgence of the House I desire to point out to the members of the committee just how the manufacturing processes of woolsens and worsteds are distinct. The raw wool is first beaten and cleaned of certain dirt and burs. Then it is washed, then it is dried, and then it is chemically treated.

Mr. HILL. Will the gentleman yield for a question?

Mr. MURDOCK. No; not right at this point of my explanation.

Mr. HILL. I would like to ask the gentleman a question on which his explanation must be based.

Mr. MURDOCK. Oh, no; I will say to the gentleman I want to go ahead with my explanation first.

Mr. HILL. But your explanation is based on a false theory.

Mr. MURDOCK. Oh, well, I will say to the gentleman he may say it is false before I finish, but he might better hear me first. After the raw wool has been chemically treated it has had its last cleaning. Then the wool takes one or two roads, according to whether it is going to be worsted or woolen. If it takes the worsted track, it is first combed, and in the combing process the short fibers are taken out and become the noils. The remaining product is the tops. Now, the process of combing is of laying the fibers of the wool parallel. If the wool takes the woolen road, the process is carding, which is not combing. In carding the fibers are laid parallel. In carding they are intermingled by means of a carder, which is a large central cylinder known as a "swift," which is surrounded by smaller cylinders which take on and off these wool fibers and thoroughly intermingle them. Now, the two products resulting are entirely different and distinct. The worsted is a wide sliver of fibers, all laid parallel; the woolen, however, is a long sliver or ribbon of wool fibers thoroughly intermingled. Now, it happens that wool has this peculiarity over other hairs in the world. It is serrated, has a scale-like surface, and when the wool fibers are thoroughly intermingled they have the quality of felting, of matting. So these worsteds and woolens are completely distinct. Now, the next step is the making of the yarn. Here the process is entirely distinct and the product resulting distinct as well. In woolens the yarn is made by a draft or extension of the material by a spindle, the spindle giving an alternating draft as it draws the woolen thread toward it and gives it its twist. Now, the worsted process is this: The worsted yarn starts in with a large run of fiber between a series of rolls, each succeeding set of rolls going more rapidly than the set preceding it, with the result that the fiber of the wool passes between the rolls, which run the fiber thin; and while the fiber is still running and being drawn out under the heavy draft it is given a twist by the spindle.

So that you have on the one hand a loosely twisted yarn, woolen, and a hard-twisted yarn, worsted. And if you will take the microscope and examine first the woolen you will find a soft, pliable thread, which apparently is covered with a fringe, and if you will take a worsted thread and subject it to the same examination—

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. KENDALL. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MURDOCK. When you examine the worsted thread under the microscope you find it hard, compact, and apparently without a cover. Here we have two distinct products, and yet in all tariff measures in recent years—that is, since the Civil War—there has been apparently no distinction observed between the two when it came to writing the wool schedule. They have been called indiscriminately woolsens and worsteds. It is the most difficult thing in the world to get figures either in the census, in the statistical abstract, or in any of the reports of our various boards which will show illuminating statistics differentiating between the woolen and the worsted production. But if anyone in this House will read the hearings held on the Dingley bill, in the first instance, and on the Payne bill in the second, he will find that in this country throughout the years the woolen industry—that is, the industry which uses the soft, pliable yarn—has been going down and the worsted industry has been going up, with the result that to-day, in spite of all denial, the worsted interest in this country controls the markets so far as suitings for men and women are concerned. And inside the worsted interest, I want to emphasize to the gentlemen of this committee, is the American Woolen Co., and the facts that I related about the American Woolen Co. the other day are just as I stated them, and were given after long study and careful research. If the gentlemen here will read, as I have read, the textile journals of America week by week as they are published, if gentlemen will go down on Wall Street and talk to the informed financial interests there, if they will go home to their retail traders and talk with them, they will find beyond doubt that, whether the American Woolen Co. produces 20, 30, or 40 per cent of the worsted suitings of this country, it controls the market. Is there anyone here who thinks that the American Sugar Refining Co. controls 50 per cent of the refined sugar in this country? Do the gentlemen here realize that there are about 98 oil refineries in this country and only 23 of them are owned by the Standard Oil Co.? Do the gentlemen here believe that the United States Steel Co. makes over 50 per cent of American steel rails? Does anyone here contend that a given industry must control a majority of the units of that industry in order to control the market? No one here will so contend.

You have in America, whether you on the other side have investigated it or not, and whether you pigeonhole the resolutions asking for an investigation of the Woolen Trust, which are before your Committee on Rules, you have a Worsted Trust, and you have a chance in this bill by making tops free, by making worsted yarns free, by making men's worsted suitings and women's dress goods made of worsted free, to take protection away from that trust. It has enjoyed, I want to say to the gentlemen on this side, for years preferences in the tariff. It enjoyed them by reason of a slight shrinkage in certain wools from the Argentine. It enjoys them by reason of a differential between unwashed wool on the skin in classes Nos. 1 and 2. From 1898 to the time of the passage of the Payne bill the worsted industry enjoyed a preference by reason of a high duty on tops and on yarns. Partly by the aid of its financial transactions and partly by the aid of the tariff this great Worsted Trust has grown up.

Now, I want to say to the gentlemen on that side, pledged, as they are pledged, to a higher authority than their party caucus, namely, to their national convention utterance, the pledge in a national convention, they can not afford to vote against the proposition to make either tops, worsted yarns, or cloth for men or women free. I ask for a vote.

Mr. HILL. I read while at home this past week the speech of the gentleman from Kansas on the American Woolen Co., and with much of it I agree. If he will stop and take into consideration what he proposes now, to make worsted free, where would the carded industries come out on that proposition? Is he willing to make wool free, too?

Mr. MURDOCK. Does the gentleman ask me that question?

Mr. HILL. Yes.

Mr. MURDOCK. Certainly. I am willing to say this to the gentleman from Connecticut. Not very long ago I voted with the gentleman, after a very eloquent pleading of his, to make some products of Kansas free. Why does not the gentleman from Connecticut vote with me to make some of his manufactured products free?

Mr. HILL. Oh, the gentleman's proposition is—

Mr. MURDOCK. I ask the gentleman that question.

Mr. HILL. The gentleman from Connecticut is ready to vote on any proposition respecting the tariff, and he takes no bluff from any gentleman from Kansas or any other Western State with respect to any New England manufacturing industry. [Laughter and applause.]

Mr. MURDOCK. Will the gentleman vote for my amendment to remove the duty on tops?

Mr. HILL. If the gentleman wishes to vote for English free trade, I will give the gentleman an opportunity out of my time to take that question up and discuss it.

Mr. MURDOCK. I ask merely that the gentleman vote for free tops, and—

Mr. HILL. The gentleman from Kansas declined to allow me to interrupt him.

Mr. MURDOCK. I yield to the gentleman.

Mr. HILL. Here are two articles that sell side by side on the counter in competition with each other, a worsted suit of clothes and a woolen suit of clothes. The gentleman proposes to put a tax of 40 per cent on one, while making the other free. Where is the woolen industry of the United States coming out on that proposition? Why, Mr. Chairman, it simply illustrates the old couplet:

A little learning is a dangerous thing;
Drink deep, or taste not the Pierian spring.

[Applause and laughter.]

The gentleman wants to carry out his ideas and let the rest of the country go to wherever it pleases. [Laughter.]

Now, that is all I have got to say about the matter, Mr. Chairman. I simply present the proposition that you take two competing articles, placed side by side, making one free and putting a high tax on the other, and you destroy the taxed industry, for it is just as easy to protect a thing by putting it on the free list as by putting a high duty on it. The gentleman has not discovered that feature of tariff legislation in view of the remarks which he offers on this proposition.

Mr. MURDOCK. Now will the gentleman yield?

Mr. HILL. Certainly.

Mr. MURDOCK. Does the gentleman, then, when he votes against my amendment here, vote it down because of his solicitude for the carded-woolen manufacturer?

Mr. HILL. Oh, no; not at all. I want to be fair to everybody. I want to be fair to the woolgrower in the Rocky Mountains, and I want to be fair to the woolen manufacturer in Pennsylvania as well as the woolen manufacturer in New England. I want to be fair to everybody. But it is not fair to take two competing articles and protect one by free trade and put a high tax upon the other. That is all there is about it. [Applause.]

Mr. MURDOCK. I would like to ask whether the gentleman is acquainted with the testimony that was given—

Mr. HILL. Oh, I am not afraid of anything. [Laughter.]

Mr. MURDOCK. I know that the gentleman is not afraid of anything. I am aware of the gentleman's courage. [Laughter.] But is the gentleman aware of the testimony taken in 1909, when the gentleman was present as a member of the Committee on Ways and Means, and asked questions about woolens? Does the gentleman remember the answer he got to one question, I think from Mr. Moir, to the effect that the worsted interest regarded the woolen interest as virtually out of it in the United States as a competitor?

Mr. HILL. Yes; I think there was injustice and unfairness in the apportionment of the duties in that bill as between the woolen industry and the carded-wool industry. But I do not think it would regulate or remedy that unfairness by making it still more unfair.

Mr. MURDOCK. May I ask the gentleman if he believes in protecting trust-controlled products?

Mr. HILL. O Mr. Chairman, I do not believe in destroying an industry of \$500,000,000 annually simply for the sake of getting a crack at any institution. [Applause.]

Mr. MURDOCK. And the gentleman to-day, after the decision of the Supreme Court, would vote for a duty on petroleum, crude and refined.

Mr. HILL. No; the gentleman is mistaken. I voted against it, because I did not think it made a particle of difference whether it had a duty or not. We were exporting \$150,000,000 worth of it a year, and the duty could not affect the price of it any more than a duty could affect the price of wheat. I do not believe in duties laid either for revenge or favoritism. One is just as bad as the other.

The CHAIRMAN. The question is on the adoption of the amendment.

Mr. LONGWORTH. Mr. Chairman, I ask that the amendment be again reported.

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again reported.

Mr. HARRISON of New York. Mr. Chairman, I do not propose to detain the House at this time. With much that the gentleman from Kansas has said I am in hearty accord, but

his ground of complaint against the committee is not well founded, because the existing duty upon combed wool and tops works out an ad valorem equivalent of 111 per cent, and the committee has offered you a bill reducing that duty to 20 per cent. That seems to me a sufficient answer to the argument of the gentleman from Kansas.

Mr. MURDOCK. Will the gentleman yield to me?

Mr. HARRISON of New York. Certainly.

Mr. MURDOCK. If the Ways and Means Committee and the Democratic caucus had put tops upon the free list, would not the gentleman from New York have supported the proposition?

Mr. HARRISON of New York. Of course, I would have supported the proposition; but I support this proposition because it is the one that the committee did adopt, and that the caucus advocated.

Mr. MURDOCK. It is better, is not, to go still further and do what is the plain duty of this body to do, which is to make these tops free? Tops go wholly into the manufacture of worsted. Tops do not enter into woolens at all.

Mr. HARRISON of New York. The gentleman from Kansas is no doubt aware that if my personal preferences had prevailed, this would be free, but I am satisfied that the committee in its wisdom has come to the proper conclusion, and the caucus having adopted the bill, I am willing to vote for it.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Kansas [Mr. MURDOCK].

The question being taken, the amendment was rejected.

Mr. DONOHUE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes.

Mr. DONOHUE. Mr. Chairman, I believe that the pending bill will greatly benefit the carpet and other textile industries and also the hundreds of thousands of skilled operatives employed in those lines, as well as the consumers of woolen goods.

On Wednesday last one of my colleagues from Pennsylvania [Mr. MOORE] made a long speech against the revision of the wool schedule. His remarks were taken very seriously by one Philadelphia newspaper, which stated in large headlines that all on this side of the House who had the temerity to question his statements—from the leader, Mr. UNDERWOOD, down to my humble self—were swept aside or promptly squelched by the cyclonic force of Mr. MOORE's eloquence. Of course, my distinguished colleague would not be a party to any such exaggeration, for I believe he is entirely fair and wants to be correctly reported.

That gentleman did, however, make some broad statements regarding certain mills in Philadelphia having discontinued business as a result of the tariff agitation. As a matter of fact, I am informed that most of the concerns which he mentioned have been in a bad way for a long time; and we know that mills have failed in Philadelphia and elsewhere during periods of greatest industrial prosperity.

As to the "soup houses" in Philadelphia, to which my colleague referred in his speech, I find that there has been no increase in their number during the past two years; that in the northeastern section, to which he particularly alluded, the same number exists as did immediately after the passage of the unfortunate Schedule K, which now finds few earnest defenders even among the standpatters.

President Taft, in his speech at Beverly, Mass., said:

The woolen schedule is indefensible, and I propose to say so.

And the same high Republican authority has repeated that statement, in substance, in his more recent speeches.

The carded-woolen manufacturers as far back as March, 1909, issued this significant manifesto regarding the high duty upon wool:

The carded-woolen manufacturers have appealed to the Ways and Means Committee for fair play in vain. If the House of Representatives denies it to them, they will appeal to the Senate. If justice is refused there, they will appeal to the President of the United States. If he fails to give us justice, then we will carry our case to the court that makes and unmakes Presidents, Senates, and Houses of Representatives—the American people—confident that they will sooner or later strip from the tariff law the special privileges that are now giving the worsted spinners such great advantages at the expense of the woolgrowers, the carded-woolen manufacturers, and the consumers of this country.

I have no doubt that my presence here to-day as a Representative of a great textile district is part of the response of the American people to the appeal of those who have prayed to be relieved of this unjust burden. [Applause.]

Mr. Robert Dornan, of Philadelphia, one of the leading representatives of the carpet industry in America, wrote me under date of May 9, 1911, as follows:

DEAR MR. DONOHUE: The within brief, as you will notice by the names appended, represents the views of the carpet manufacturers of the country. The committee whose names appear have been selected

to represent the industry, and the brief embodies their ideas, and, as you will note, as no third class (carpet wools) are raised in the United States there is no necessity for a protective duty on such wools. It is their belief, however, that an *ad valorem* duty on revenue would be a proper one, and I hope your views may concur with those expressed in the brief.

Very truly, yours,

ROBERT DORNAN.

I will place in the RECORD the brief to which Mr. Dornan refers, and also some other excerpts.

When the President of the United States has declared Schedule K to be indefensible, when the carded-woolen manufacturers of the country have condemned it as fostering monopoly, and when the spokesmen of other great textile branches, in which wool forms an essential part of their raw material, have declared in favor of the pending bill, I, as the Representative of the fifth Pennsylvania district, the greatest textile center in the country, have no hesitation in supporting the measure. Its passage will mean cheaper and better raw materials and hence higher quality in our manufactured goods; and these will assuredly make for increased demand for our textile products and increased employment for our people. [Applause.]

The late Senator Dolliver in a debate in the Senate had this to say regarding Schedule K:

I think the duties on all the by-products of worsted making are too high. They are prohibitory. They are unequal. The range of the prices of the articles is so great that when you set a specific duty on one you are already necessarily creating inequalities. When you put the rate high enough for the highest, you make it ridiculously high for the low and the ordinary.

And again:

GROUND TO POVERTY BY TARIFF LAWS.

I want now to approach one of the complaints that these great American manufacturers have made to me, and I confess it has not only convinced my judgment, but it has touched my heart. I am not so cold-blooded as some. When a man comes to me and says, "For 50 years my father and I have been building up a great woolen manufacturing industry, and I find myself ground to poverty and bankruptcy by the laws of the United States," I am not so constituted that I can tell him not to occupy my time; that if the business is not profitable to quit it; that the thing is obsolete; that their inheritance from their fathers is in a way to be totally destroyed; lock it up and quit and get into some other business. I am not so constituted. I would not do that until I had spent a good many days trying to find out what the man's real grievance was, and I think I have gotten down to this simple point.

In a letter to the Woolgrowers' Association, Mr. Edward Moir, president of the Carded Woolen Manufacturers' Association, under date of December 24, 1910, said:

I desire to urge upon you the vital importance of a prompt and thorough revision of Schedule K on the basis of justice. It is not alone the woolgrowers and wool manufacturers who are the parties in interest. The consumers are asserting their right to be heard, and no tariff can remain long on the statute book that does not have the approval of the consumers. We have good reason to congratulate ourselves on the fact that an overwhelming majority of the American people believe in and are ready to maintain the policy of protection to American industry. But the people want this protection to be fair. They want privilege and discrimination to be eliminated. It is for us, producers of wool and wool goods, to cooperate with the public in accomplishing that result. The woolgrowers, carded-woolen manufacturers, worsted manufacturers, and clothiers should resolve henceforth to defend no schedule that is not fair to all. They should repudiate once and for all the policy by which for 44 years schedules have been defended by alliances of special interest. They should cooperate, but that cooperation should have only one object—to make the tariff on wool and wool goods fair to all—and thus insure the permanence of the protective tariff by retaining the confidence of the people.

INJURY TO BUSINESS NOT CAUSED BY THOSE WHO ARE TRYING TO MAKE SCHEDULE K FAIR.

The plea for a cessation of tariff agitation because of the disturbance of business is entitled to no consideration. The injury to business is not caused by those who are trying to make Schedule K fair, but by those who, profiting by special privileges under that schedule, have successfully resisted every effort to eliminate its inequalities.

And to the worsted weavers and knitters, Mr. Moir has stated:

Schedule K was framed by the worsted spinners and for the worsted spinners. It promises the woolgrower a protection of 33 cents a scoured pound, and then allows the worsted spinner to import worsted wool at 16 cents or less a scoured pound, while excluding the wool and by-products for carded-woolen goods by prohibitory duties. It gives the worsted spinner a secure monopoly by means of prohibitory duties on yarn, and on the by-products he has for sale, and provides that any foreign competition in manufactured materials shall fall on the mills that buy yarn to be woven or knit into goods. The worsted spinner profits going and coming under this schedule, which in its way is the most remarkable document the human mind has ever produced.

HOW LONG WILL THE WEAVERS AND KNITTERS CONSENT TO REMAIN THE WORSTED SPINNERS' GOAT?

All this is plain, but the feature of the situation that is unexplained and, possibly, unexplainable, is why the worsted weavers continue to lick the hands of those who smite them. How long will the worsted weavers and knitters be content to have their business existence depend on such difference between the domestic and foreign price of yarn as the spinners may allow? How long will the weavers and the knitters consent to remain the worsted spinners' goats? Will the weavers and knitters take advantage of the present opportunity and insist that their industry shall be placed under conditions of fair competition by the approaching revision of the Payne tariff?

On May 1, 1911, the following brief was submitted by the carpet manufacturers' committee to the Ways and Means Committee of the House of Representatives:

On behalf of most of the carpet manufacturers in the country, we beg to submit a few observations on the subject of third-class wools, commonly known as carpet wools.

Certain facts with regard to these wools stand admitted by all men with any knowledge of the subject, and are as follows:

No third-class wool is raised in the United States, and none has been raised here for many years.

That as no carpet wools are raised in the United States, the duty thereon should be considered for revenue.

That all carpet wools brought into the United States are used for making carpets and rugs, except a very small percentage, not to exceed 2 to 3 per cent, used for making horse blankets and felt boots. That a very trifling quantity, if any, is used in making clothing.

That wools of the third class, as defined by all our tariff laws since 1867, are becoming scarcer every year as the semicivilized peoples who raise the native sheep (from which carpet wools must come) learn to cross them with Merino or English blood. This they are gradually doing all over the world, and this at once takes the wool out of the third class and puts it in either first or second class.

That because of this growing scarcity the price of these wools is steadily increasing, and the cost of such wools coming into the United States at the present high duty is growing greater each year.

That the scarcity referred to has been intensified because certain carpet wools were taken out of class 3 and put into class 1 when the Dingley law was enacted. These wools had always been classed as carpet wools and were used for no other purpose, and since the reclassification referred to, have not come into this country, with the result that the Government has been deprived of the revenue, and the carpet manufacturer has been deprived of the wools. They have sold in the foreign market since the reclassification at lower prices than they brought when they were admitted to the United States as carpet wools, showing conclusively that their only value abroad was as carpet wools.

That the duty on these wools, being in effect only a revenue duty (there being no industry of the kind in this country to protect), the duty is included in the cost of the manufactured goods and becomes a part of the price to the consumer. Any reduction of the duty on these wools would immediately result in lower prices on carpets and rugs.

The carpet business, which has invested in it more than \$75,000,000 and employs more than 40,000 operatives in normal times (mostly skilled), is still conducted in the old-fashioned way, and each manufacturer is independent of the other. There is not now, nor has there ever been, a combination or trust in the industry.

It is not our purpose to haunt the Halls of Congress or importune the various members of the committee on this subject. We refer you to the arguments made before the Payne committee, which are as sound to-day as they were then, and which show, as we believe, that we are entitled to the relief we ask.

COMPENSATORY DUTIES.

We do not ask for lower duties on raw materials and high duties on our manufactured products, for we expect the compensating duty on our manufactured goods to be reduced in the same proportion as the duties are reduced on our raw materials.

We presented to the Payne committee reliable and accurate figures, showing how carpet wools are consumed, and that only a nominal percentage of the total imports can possibly be used outside of carpet and rug factories. These figures were secured at the request of the committee and have never been disputed.

SCHEDULE K PLACES PREMIUM ON FRAUD.

The present duty on third-class wools being specific, with a dividing line in value, places a premium upon fraud and dishonesty, and we believe this has been the experience of our Government under the Dingley law. We are informed that a greater number of entries of third-class wool have been advanced and penalized than in first and second classes combined. How can it be otherwise, when we know that dishonest importers, by undervaluing only a fraction of a penny per pound, escape an advance of 3 cents per pound in the duty? A saving of 3 cents per pound is about 25 per cent on the cost of the wool.

If we had *ad valorem* duties, no importer, however dishonest, would take the chance of a penalty by understating the cost of his wool, for the difference in the duty would be very slight. If his wool now costs him 12 cents per pound he pays 4 cents per pound duty, but if it cost him 12½ cents per pound he pays a duty of 7 cents. On 1,000,000 pounds (which is but an ordinary purchase) this difference in duty would amount to \$30,000, quite a sufficient inducement for a dishonest man to attempt to defraud the Government; whereas if the wool cost him 12½ cents per pound and he paid an *ad valorem* duty, the difference in the amount of duty would be too small to be a temptation to undervalue.

MORE REVENUE.

Statistics show that the Government collects more revenue under an *ad valorem* duty on wools than it does under specific rates, and there is less undervaluing.

So it may be said of all classes of wool that a specific duty per pound of wool in whatever condition it is imported is as unscientific as it is unjust, and the only duty equally fair to the Government and the manufacturer is an *ad valorem* duty, for the condition and quality of the wool determine its value, and the *ad valorem* duty follows the value either up or down.

Where is the justice of assessing the same duty per pound on wool yielding only 40 pounds of clean wool out of 100 pounds in the grease as on wool yielding 75 pounds of clean wool out of 100 pounds of wool in the grease, thus practically doubling the duty per pound to the manufacturer who brings in wool yielding only 40 pounds?

AMERICAN CARPET MANUFACTURERS HANDICAPPED.

England, France, and Germany admit all wools free, and with such a duty as now exists on carpet wools it is plain to see under what a handicap the American carpet manufacturer labors when he competes in the markets of the world for his raw material. The dividing line in cost under our tariff places him absolutely at the mercy of his foreign competitor on third-class wools, and he is obliged to stand back until the wants of the foreign manufacturers have been supplied. Our manufacturers can bid against them up to 12 cents, but there they must stop or have an additional duty of 3 cents per pound charged against the purchase. An *ad valorem* duty would remove this restraint on business and result in increased imports of the better grades of carpet wools, thus insuring increased revenue to the Government.

NO INJURY TO ANY INDUSTRY AND CHEAPER CARPETS TO THE PUBLIC.

A purely revenue duty could be placed upon wools of the third class, including the wools taken from this class in 1897, and which should now be restored, without doing the least injury to any industry in the United States, and would result in cheaper carpets to the public.

If it is thought best to fix a lower ad valorem rate on wools of the third class than on wools of the first and second classes, we respectfully ask that the wools of the third class, which under the Dingley law of 1897 were transferred to class 1, be restored to class 3. These wools are Bagdad, China lambs, Castel Branco, and Adrianople, or butcher's wool.

We should be glad to furnish your committee with any information in our possession; to appear and answer any question propounded to us, and prepare, if desired, a schedule showing reductions on manufactured goods to correspond with any reductions made on raw wool.

Respectfully submitted by the carpet manufacturers' committee.

CHARLES F. FAIRBANKS,
Treasurer Bigelow Carpet Co., Boston, Mass.
GEO. MCNEIR,
Vice President W. & J. Sloane, New York City.
ROBERT DORNAN,
Dornan Bros., Philadelphia, Pa.
ROBERT P. PERKINS,
President Hartford Carpet Co., Thompsonville, Conn.
A. J. ABBOT,
Treasurer Abbot Worsted Co., Granitville, Mass.

POLITICAL PARTISANS AND SPECIAL INTERESTS.

The foregoing plain statements are sufficient to convince me that the wool schedule of the Payne bill is inequitable and unjust and that it should be revised downward with the least possible delay. I am willing to accept the sober judgment of men who have practical knowledge of the subject rather than the opinions of men who are practical only as politicians and whose special training has been in the direction of special interests.

When gentlemen talk about their great concern for our manufacturers and yet vote in favor of monopolies that are crushing them to the wall, and when they make noisy and incessant proclamation of their love for the toiling masses and yet vote against such measures as Canadian reciprocity, that would bring them relief in steadier employment and cheaper necessities of life, I am forced to inquire: Do these gentlemen believe that most of the people can be fooled most of the time, or do they not know that an intelligent electorate can, and sometimes does, choose its own Representatives? [Applause.]

During the delivery of the foregoing, the time of Mr. DONOHUE having expired,

Mr. DONOHUE. I ask two minutes more.

The CHAIRMAN. Is there objection?

Mr. MANN. Reserving the right to object, I desire to say that apparently the afternoon will be occupied properly in discussing amendments to the bill itself, and not engaging in general discussion, which all gentlemen had plenty of time to get into in the 15 days' general debate. While I shall not object to this, if there are many more speeches of this kind, I shall object.

The CHAIRMAN. If there be no objection, the gentleman's time will be extended two minutes.

There was no objection.

Mr. DONOHUE resumed and completed his remarks, as above recorded.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read:

The Clerk, resuming the reading of the bill, read as follows:

3. On combed wool or tops and roving or roping, made wholly or in part of wool or camel's hair, and on other wool and hair which have been advanced in any manner or by any process of manufacture beyond the washed or scoured condition, not specially provided for in this act, the duty shall be 25 per cent ad valorem.

Mr. MANN. Mr. Chairman, I offer the amendment which I send to the desk.

The Clerk read as follows:

Amend page 2, line 12, by striking out the words "in this act."

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Illinois [Mr. MANN].

The question being taken, the amendment was rejected.

Mr. FRENCH. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend page 2 by striking out the words "30 per cent ad valorem," in line 15, and inserting in lieu thereof the words "25 cents per pound and in addition thereto 25 per cent ad valorem."

Mr. FRENCH. Mr. Chairman, if my first amendment had prevailed, I should have offered an amendment that would have harmonized paragraph 2 of the bill with the basis of a duty upon scoured wool instead of wool in the grease.

I have offered this amendment to paragraph 3, the effect of which is to strike out the words "washed or" in the paragraph, and to place the duty on the wool upon the basis of

scoured wool, to remove the ad valorem basis, making it specific, and give to the manufacturer a protection equivalent to that given to the grower, proposed by me in my first amendment, and then a protection as against the manufacturers of foreign countries upon an ad valorem basis.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Idaho.

The question was taken, and the amendment was lost.

The Clerk, proceeding with the reading of the bill, read as follows:

4. On yarns made wholly or in part of wool, the duty shall be 30 per cent ad valorem.

Mr. MURDOCK. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend by adding, after the word "ad valorem," in line 15, page 2, the following: "Provided, That all worsted yarns be admitted free of duty."

The CHAIRMAN. The question is on the adoption of the amendment.

The question was taken, and the amendment was lost.

Mr. FRENCH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, on page 2, by striking out the words "30 per cent ad valorem," in line 15, and inserting in lieu thereof the words "25 cents per pound and in addition thereto 25 per cent ad valorem."

Mr. FRENCH. Mr. Chairman, just a word. This is the last amendment I propose to offer, and I have offered it for the purpose of indicating the amendments I would offer if it seemed worth while to offer any further amendments to the succeeding paragraphs. I want to reiterate that my plan is a duty on a specific basis upon the imports of wool measured upon wool in the grease, and then a duty to protect the manufacturer as against the competition of foreign countries upon the ad valorem basis.

And now a word with regard to how I propose to vote. I have already outlined my position on Schedule K. I have pointed out wherein it should be amended. I have called attention to the errors of the pending bill as I see them. The majority of this House appears determined to pass this bill without amendment and without waiting the report of the Tariff Board, and should the idea not prevail of holding this bill upon the House side until we may have the report of that board, I propose to support the motion to send this measure to the Senate. Many Republicans feel that a vote for this bill will be misunderstood. I say not. Rather a vote against it will be misunderstood. Such a vote will be regarded as an approval of Schedule K. Are you in favor of it, or are you opposed to it? Are you afraid to intrust the wool schedule to consideration in the Senate? Under the Constitution all revenue bills must originate in the House. They can not originate in the Senate. What bills are before the Senate that could possibly be used as a basis for modification of tariff schedules? The Senate will not use the reciprocity bill for such a basis. That is not thinkable. The free-list bill is not a revenue bill, and it was so held in this body. Regardless, then, of errors in the pending bill, I say that Republicans who believe that the woolen schedule should be amended should vote to send this bill to the Senate. Under the circumstances, I believe that such a vote is the only vote that is consistent with a belief that this schedule should be amended at the earliest possible date, and I believe that before many months the Senate and the House will be able to unite on a measure that will bring the desired relief to the consumers, and at the same time place the great businesses that have been entered upon of manufacturing woolens and of husbanding the flocks and producing wool upon a stable basis, because they will be upon a basis that will commend itself to the sense of equality and fair play of the American people.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Idaho.

The question was taken, and the amendment was lost.

The Clerk read as follows:

5. On cloths, knit fabrics, felts not woven, and all manufactures of every description made, by any process, wholly or in part of wool, not specially provided for in this act, the duty shall be 40 per cent ad valorem.

Mr. MANN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, page 2, line 18, by striking out the words "in this act."

Mr. MANN. Mr. Chairman, I called the attention of the committee a while ago to the fact that this was an independent bill and will be an independent act if made into law. It is not a part of the present tariff law. This provision in the bill provides that all manufactures, of every description, made by any

process, of wool or any part of wool not especially provided for in this act shall pay a duty of 40 per cent.

It repeals every provision in the existing law in conflict with it. It will put upon the dutiable list scientific, religious, and educational apparatus and instruments if they are composed in any part of wool. It will put on the dutiable list tools of trade composed in any part of wool. All of these not now mentioned being now on the free list.

It will put on the dutiable list society and religious regalia if composed in any part of wool. It will put on the dutiable list collections in illustration of the progress of art, science, and manufacture if composed in any part of wool, as many of them are. It will increase the duty on roofing felt from 10 per cent, as provided by law, to 40 per cent, as provided in this bill. It will increase the duties on manufactures of rubber having some wool in them from 35 per cent to 40 per cent, and in some cases much more. It will put on the dutiable list of 40 per cent rubber scrap, that now comes in free, if it has any wool in connection with it.

If the gentleman will accept the amendment which I propose, striking out the term "in this act," it leaves all of these provisions in the law and provides that articles not otherwise specially provided for shall pay the duty or come in free, as now provided for. But when they say "not specially provided for in this act," and there being no provision in this act in reference to these things—and this being an independent act, putting all of these things under this provision in this act which are composed in part of wool—if that is the intention of the gentleman, very well; but if it is the intention of the gentleman to leave these articles now coming in free upon the free list, then they should strike out the language "in this act."

Mr. UNDERWOOD. Mr. Chairman, I desire to detain the committee only a moment. The gentleman from Illinois is a very able parliamentary leader. He is well versed in the specialties that he has studied in this House, but I think that he has clearly demonstrated that he has never served on the tariff committee of this House in the amendments and arguments that he has offered to-day. The gentleman makes the argument before this House that because we take this law out of the Payne tariff law and enact a separate law that anything that has wool in it that we do not enumerate as being on the free list is put on the dutiable list. Now, the absurdity of that is answered in one question. I ask the gentleman what the duty would be? What would the duty be on these articles?

Mr. MANN. That is easily answered—40 per cent. That is what the bill provides.

Mr. UNDERWOOD. Not at all. There is nothing in these articles that he refers to that would connect them with this "cloth and knit fabrics and felt not woven, and all manufactures of every description."

Mr. MANN. "And all manufactures of every description made, by any process, wholly or in part of wool." That means everything.

Mr. UNDERWOOD. The courts have held, and the decisions are uniform, that you can not take a matter from the free list and put it on the dutiable list or from the dutiable list and put it on the free list by implication. You have got to enact specifically or the court will construe that you did not intend to amend the original law.

Mr. MANN. That is what this is. Mr. Chairman, the existing law in all of these provisions says "Not specially provided for in this section," and if this were in the existing law, and that language read that way, with the rest of the language precisely as it is, then when the article comes in which is made partly of wool and cotton, for instance, the question is, Which is the most definite description of the article, this provision "All manufactures, composed wholly or in part of wool," or a provision in the cotton schedule providing that goods shall pay a duty under the cotton schedule when the chief value is cotton?

The courts have held, construing these two provisions apparently contradictory in the same law, where they must presume that there was not intent to have contradiction, that in reference to cotton or other articles where there is the provision respecting an article composed in chief value of cotton, that that shall pay the cotton-schedule duty, although there is another provision, providing that an article composed in part of wool shall pay the woolen schedule. If it had been inserted as an amendment to the Payne law, that would still exist, but here is an independent act which does not refer to the Payne law at all.

Mr. UNDERWOOD. I will say to the gentleman that the language of this act has been submitted to the Treasury Department and conforms to their views. The decisions are here, and my colleague will read them.

Mr. MANN. Oh, the decisions have no application. The decisions are based upon a law containing both provisions in the same law. Here we pass a subsequent act. I am familiar with the letter from the Treasury Department. The Treasury Department suggests certain changes in the form of this bill, supposing that it was to be inserted as an amendment to the Payne law.

Mr. UNDERWOOD. Not at all.

Mr. MANN. Well, I talked with the Treasury Department, and I have a copy of the letter.

Mr. UNDERWOOD. The bill was submitted to them in this form, except the changes that we adopted.

Mr. MANN. I have a copy of the letter which the Treasury Department submitted to the gentleman, and talked with the Treasury officials about it, and the Treasury officials said there could be no possible escape from the conclusion that I reached, that this, being a later, independent act, controls, and that it was not controlled by a provision in the existing law.

Mr. UNDERWOOD. Mr. Chairman, I would not differ with the gentleman from Illinois in his statement of a fact, but I would not at the same time bring the indictment that he does against the Treasury Department of the United States—that they submitted to the Ways and Means Committee of this House a letter advising them as to the technicalities of a bill that was to be presented to pass, and then changed their minds about it and did not advise the Ways and Means Committee to that effect. The gentleman must have misunderstood the Treasury officials, because the indictment he brings against them is entirely too serious.

Mr. MANN. The letter I suppose the gentleman has is from the Secretary of the Treasury. I did not converse with the Secretary of the Treasury, nor did the gentleman from Alabama adopt the suggestion made by the Secretary of the Treasury in his letter as to the amendment in this regard.

Mr. UNDERWOOD. Oh, yes, I did.

Mr. MANN. Oh, but the gentleman did not. If he will examine the letter he will see that the Treasury Department suggested that the bill be amended not along the lines that I have suggested, but in another respect, and the gentleman did not adopt that suggestion.

Mr. UNDERWOOD. I did, absolutely.

Mr. MANN. Well, I will get the letter and publish it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PETERS. Mr. Chairman, the contention which the gentleman from Illinois has just made has been brought already before our courts, and there is a specific rule laid down in the decisions which cover this point. The court, in the case of *Hartranft v. The United States* (135 U. S., 237), which is a decision made in 1890, and followed by the decision of *United States v. Scruggs* (156 Fed. Rep., 940), which was a decision rendered in 1907, both laid down the doctrine that the provision for manufactures of chief value is more specific than the provision for manufactures in part of value of wool or any other component part, and that if it was desired to extend the scope of the woolen paragraph to all manufactures of which wool is a component a general provision to that effect should be inserted in the wool schedule. In the case which laid down the same rule, of *Slazenger v. United States* (91 Fed. Rep., 517), it was held that tennis balls made partly of wool and partly of rubber were subject to the duty on rubber, as that was the component part of chief value, and this rule so laid down and supported will be the rule applied in importations under this present bill.

Mr. MANN. Will the gentleman yield for a question?

Mr. PETERS. Certainly.

Mr. MANN. Were not those decisions all rendered under the act which contained both those provisions in it?

Mr. PETERS. I believe they were; but I do not think that makes any difference.

Mr. MANN. Does the gentleman think it makes no difference, or rather does the gentleman think there is any method by which we can say in this act the articles composed in part of wool should pay the wool schedule? Is there any language by which we could do that?

Mr. PETERS. I presume such language could be used, but it is not used in this bill.

Mr. MANN. Could the gentleman find any language or suggest any language that would be more complete than this language:

All manufactures of every description made by any process wholly or in part of wool.

Can the gentleman suggest any language more complete than that language if he wanted to put a provision in this bill that

all articles manufactured or composed in part of wool should pay the woolen schedule?

Mr. LENROOT. Mr. Chairman, I move to strike out the last word.

Mr. PETERS. Mr. Chairman, I have the floor and I yielded for a question to the gentleman from Illinois, and I am trying to answer it. I still have the floor.

Mr. PAYNE. Will the gentleman yield for a question?

Mr. PETERS. I wish first to answer the question of the gentleman from Illinois. I think that the language is the same as that used in the present law and would be subject to the same construction, but if it is the desire to make this provision—

Mr. MANN. The language is not the same that is in the present law. The gentleman is mistaken. The present law provides that articles not specially provided for in this section, which is this section of the Payne law. This provides, in this act—

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. MANN. Mr. Chairman, I ask that the gentleman have five minutes more. I have consumed part of his time.

The CHAIRMAN. Is there objection to the request that the gentleman from Massachusetts have his time extended for five minutes? [After a pause.] The Chair hears no objection.

Mr. PAYNE. I desire to ask the gentleman a question.

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from New York?

Mr. PETERS. Certainly.

Mr. PAYNE. The decisions the gentleman referred to relate to clauses in the Dingley bill, the decision of 1890 related to the McKinley bill, but the conflicting provisions were all contained in the same act, were they not?

Mr. PETERS. Yes.

Mr. PAYNE. Now, here is a different case I want to point out to the gentleman. This repeals all provisions in regard to wool in the present law by the repealing clause in the bill. This section refers to the present act. It is a subsequent act to the present law and contains this expressed language, and I do not think the gentleman has answered the objection at all.

On cloths, knit fabrics, felts not woven, and all manufactures of every description made, by any process, wholly or in part of wool, not specially provided for in this act, the duty shall be 40 per cent ad valorem.

Now, that repeals all the clauses so far as they conflict with this act.

Mr. PETERS. The gentleman is making a speech and not asking me a question.

Mr. PAYNE. I do not see any escape from it. I do not think the gentleman or the decisions in any way answer the plain interpretation of that language in this bill. It is a mistake, and the gentleman might just as well acknowledge it now as to acknowledge it afterwards.

Mr. PETERS. It is difficult for me to derive a question from the gentleman's speech to answer, but, so far as I can get a question, I will say that this bill that we have before us takes the place of the other section—the present Schedule K of the Payne Act—and would be subject to the same construction, and I do not think the objections which the other side are making on this point are valid.

Mr. PAYNE. Let me refer the gentleman again to the language of the repealing section:

That all acts and parts of acts in conflict with the provisions of this act—

The duties on any part of wool that conflict with it—are hereby repealed.

Now, it repeals everything that is in conflict with this act.

Mr. PETERS. The only thing it repeals is Schedule K of the present Payne law.

Mr. PAYNE. It repeals everything in conflict with the provisions of this act, and the section referred to by the gentleman from Illinois [Mr. MANN], on page 2, is in conflict with all the provisions of the present law in regard to a duty on wool, where only a part of an article, and a small part of it, is made of wool. There is no escape from it. I do not care what the Secretary of the Treasury has said where his attention was called to the specific language in this act, and I do not care what the Secretary of the Treasury may finally conclude, as it goes to the court.

Mr. PETERS. Is the gentleman still asking me a question?

Mr. PAYNE. Certainly.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. PETERS] has expired.

Mr. PETERS. Mr. Chairman, I can just repeat that this section comes in plainly as taking the place of Schedule K of the present law.

Mr. MANN. It would have come in that way if you had adopted the first amendment I offered.

Mr. FORDNEY. Mr. Chairman, I do not care to talk on the amendment, but I would like five minutes under the five-minute rule.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. FORDNEY. Mr. Chairman, I want to say to the gentlemen of the committee that I am naturally opposed to this bill because it reduces the duty to a point, in my opinion, that will be absolutely destructive, not only to the wool producing, but the woolen manufacturing industry of this country. I have before me statistics and figures that show that the rates of duties fixed in the Wilson law reduced the duty on manufactured woollens to 50 per cent ad valorem, provided that the price did not exceed a certain sum, and 55 per cent on values above that amount, and placed wool on the free list, which drove to the wall a great number of woolen manufacturing institutions in this country. They either went into bankruptcy and discontinued business, or went into the hands of a receiver, or were absorbed by some other concern. This proposed law goes further than that, for it would reduce the duty on woollens to 40 per cent ad valorem, an average of 40 per cent, and, in addition, leave a duty of 20 per cent ad valorem on wool. That places the manufacturer at a much greater disadvantage than the Wilson bill, which destroyed a great number of institutions, a list of which I will give.

Therefore, Mr. Chairman, past history and sad experience of people engaged in this industry shows us that if this bill is enacted into law it will prove of greater destruction to the woolen industry than did the Wilson tariff law that destroyed so many of those institutions.

As to the price of foreign wools, I may say, first, the average foreign wools that are imported are not the heavy shrinking wools, but the lightest shrinking wools found in foreign markets, for the reason that heavy shrinking wools, paying the rate of duty on wool of the first class of 11 cents per pound, can not be imported into our market and sold in competition with the light shrinking wools of Europe. Therefore, I say it is only the light shrinking foreign wools that come into our markets, and the price of such wool to-day in our markets is about 22½ cents to 24 cents a pound.

Now, a reduction of the duty from 11 cents a pound to 20 per cent ad valorem means a reduction on wool now coming into our market at the present market price of about 60 per cent of the present rate of duty. Now, a producer of wool on the farm or a manufacturer of wool can not stand that reduction, gentlemen, and succeed. There is no question in my mind about that.

We have to-day, in round numbers, about 50,000,000 sheep—wool sheep—in this country. The great demand for mutton for food supply brings about the destruction, by slaughter for food supply, of nearly 25,000,000 head of sheep annually in the United States. The great increase in the number of sheep since the repeal of the Wilson tariff law has been due to the great value of sheep for our meat supply and not altogether to their value for wool, because on the best grade of sheep in the land about 8 pounds of wool to the sheep is the average high-grade fleece; and when wool is selling for 15 or 18 or 20 cents a pound it can be readily seen that in the average State in this country sheep can not be raised for the wool alone, but are raised not only for the wool but also for their value for mutton. Therefore, gentlemen, a reduction of the duty to the point that will not make it profitable for the farmer to raise sheep for wool will destroy our flocks of sheep and reduce the number as it did in 1894 and 1895 and 1896 and make it unprofitable to raise sheep in this country—a very valuable asset to the American people.

But much has been said of late through the magazines and press of the country about woollens being so high that woolen goods in the homes of people of ordinary and humble circumstances were as scarce as diamonds. Let me call your attention to this fact, gentlemen, that the entire woolen product of the United States is about \$500,000,000 annually, and the people of the United States last year spent for strong drink alone more than three times that sum, or \$1,600,000,000.

If the people of the United States would economize on strong drink, by using the money spent for that luxury, or, rather, that article, which is not a necessary of life, we could all walk covered with the best of woolen clothing.

Mr. Chairman, all must admit that we are an extravagant people and squander large sums of money for many articles that bring little or no comforts to our families, where, on the other hand, if the husband and the housewife would economize in such expenditures, the real necessities of life could be obtained to a far greater degree than at present.

This assault upon Schedule K gives special timeliness to the report upon the woolen and worsted industry of the United States which was recently published by Director Durand of the Federal Census. This new statement is for the calendar year ending December 31, 1909, the year of the enactment of the Aldrich-Payne tariff and a period of high prosperity in the American woolen and worsted trade. An enumeration for the present year would undoubtedly tell a very different story.

But in 1909 American mills were very fully employed, and a great deal of new and productive machinery was coming into operation, particularly in Massachusetts and other New England States. It should be understood that the present statement covers only woolen and worsted goods, and does not include carpets, felt goods, hosiery, knit goods, and so forth. This makes all the more significant the announcement of the Census Bureau that the total capital invested in the making of woolen and worsted goods had increased from \$256,554,000 in 1899 to \$302,767,000 in 1904 and to \$415,465,000 in 1909, a proportionate gain in the decade of 62 per cent. The total value of the products had increased from \$238,745,000 in 1899 to \$307,942,000 in 1904 and to \$419,828,000 in 1909, a gain in the decade of 76 per cent. The growth of the industry in the 5 years, from 1904 to 1909, as a matter of fact, was greater than in any 10 years before. In no other country, save perhaps in Germany, has the wool manufacture flourished and expanded of late years as it has in the United States.

The cost of the materials used in this great American industry was \$148,087,000 in 1899, \$197,480,000 in 1904, and \$273,466,000 in 1909, a gain for 10 years of no less than 85 per cent. One reason for this increase is apparently the fact which this impartial Federal investigation discloses, that American mills engaged in the manufacture of fabrics for American clothing are consuming more and more of pure wool and relatively less of substitutes. The census statement specifically shows that the amount of raw wool, foreign and domestic, used in American mills increased from 330,179,000 pounds in 1899 to 474,751,000 pounds in 1909, a gain of 44 per cent; or, a still fairer basis of comparison, that the wool used, in a scoured condition, was equivalent to 192,706,000 pounds in 1899 and to 289,703,000 pounds in 1909, a gain of 50 per cent. In the same period, according to these authoritative Federal returns, the use of shoddy fell off from 33,037,000 pounds in 1899 to 21,554,000 pounds in 1909, a decrease of 35 per cent.

Raw cotton used in the same period fell off from 40,245,000 pounds to 20,055,000 pounds—a decrease of 50 per cent; and although cotton yarns increased from 35,343,000 pounds to 39,169,000 pounds, a gain of 11 per cent, the Federal report notes that—

The net result is a decided decrease in the amount of cotton used as a material by wool manufacturers.

The report states further that the lessened use of shoddy—is explained by the fact that the manufacture of worsted fabrics into which shoddy does not enter as a material to any appreciable extent has increased enormously, while the quantity of woolen fabrics in which shoddy is utilized was actually less in 1909 than in 1899.

These hard official facts and figures are rather sharp and damaging comment on the assertions of certain overzealous writers in recent magazines that shoddy and cotton pervaded all American cloths and that real wool was swiftly vanishing. Now that a revision of Schedule K has become inevitable, the Government itself appears to be proving that the political attack upon it has been seriously overdone.

In the manufacture of shoddy it will be remembered that rags are used to a very great extent. Rags are graded into three grades, the third being the poorest grade. Such rags are taken from rags gathered that have rendered long service, and the wool in which has long since lost its durability. When washed, such rags are picked into yarn once more, and then, by a system of machines, picked back into the wool fiber and again spun into woolen yarns, the strength of which will not stand the throw of the shuttle in the looms, and in order to give such yarns the necessary strength to stand the weaving without breaking, a machine has been invented by some genius which wraps a little thread of cotton around this rotten yarn, which gives it strength. Then the yarn is converted into shoddy cloth and placed upon our markets as all-wool goods—an imposition upon the people, an article sold to them represented to be good woolen clothing, which really, by law, should be prohibited from being converted into cloth.

This bill, instead of placing a duty of 10 cents per pound on imported rags, reduces the duty to 20 per cent ad valorem. An examination of the records of the Treasury Department or the Bureau of Statistics would reveal the fact that under the Wilson-Gorman tariff law, when such rags were on the free list, their importation greatly increased. The Dingley law placed a duty of 10 cents per pound on rags, and since the adoption of that law in 1897 the importation of rags has

greatly fallen off, a very meritorious act indeed, and the Payne tariff law—a tariff law now in force upon our statute books—carries the same rate of duty on rags that was carried in the Dingley law. I warn the people of the country to beware of the purchase of worthless shoddy put upon our markets, and I warn Congress that the reduction of the duty on rags as proposed in this bill will greatly increase this imposition on our people.

The Gorman-Wilson tariff law in its woolen schedule took effect on January 1, 1895, and remained in force until superseded by the Dingley tariff law on July 24, 1897.

In March, 1893, the Boston price of Montana medium wool was 52 to 53 cents a scoured pound, and in March, 1894, anticipating by a few months the free wool of the Gorman-Wilson law, the price of this same wool was 30 to 32 cents a scoured pound, a loss of 40 per cent.

The report for January, 1895, of the statistician of the Department of Agriculture showed that American sheep had shrunk in numbers from 47,274,000 in 1893 to 42,294,064, or practically the figure of 1890.

In 1880 fine Ohio washed-fleece clothing wool was selling at 50 cents a pound, medium at 55 cents, and coarse at 48 cents. In January, 1894, under the threat of imminent free wool the same wool was selling at 23 cents, 24 cents, and 21 cents.

From the taking effect of the Gorman-Wilson woolen duties on January 1, 1895, foreign woolen manufactures poured into this country at an average rate of \$5,000,000 per month, reaching a total for the year of \$60,000,000, foreign value, or equivalent to about \$90,000,000 on the duty-paid home valuation, which is about one-third of the total value of all American wool manufactures as reported in the census of 1890, and considerably more than one-third of the total value of American wool manufactures in the year 1895.

The practical result of the Gorman-Wilson law was thus summarized by the National Association of Wool Manufacturers:

I. It was argued that the great increase of domestic manufacture, in consequence of free wool, would create so large a demand for domestic wool that the price, instead of falling by the amount of the duty, would increase. The price of wool has not only fallen by the amount of the duty, but it is lower to-day than the foreign prices.

II. It was argued that free wool, by cheapening the raw material, would greatly lessen the use of shoddy in the United States. There has been more shoddy consumed since this law went into effect than ever before in our experience.

III. It was argued that free wool would enormously reduce the cost of clothing to the people, on the pretense that the whole of the duty, both on wool and on cloths, was added to the cost of clothing made of domestic goods. It has been found that there has been no substantial reduction in the cost of clothing, grade for grade, beyond the fall in values universal throughout the world; and this for the obvious reason that the costs of distribution, wholesale and retail, have remained fixed, and these costs bear so large a ratio to the total cost of manufacture that the final purchaser of woolsens in the form of clothing finds that the reduced cost, due to the removal of the wool duty, when divided up between the wholesaler and retailer, leaves a margin of gain for the consumer so small as to be hardly appreciable.

IV. It was argued that by reason of the advantage of free raw materials the American manufacturer would find himself not only in full control of the domestic market but actively competing for the markets of the world. We have seen the havoc played with the domestic market. As for the foreign market, it has been practically confirmed, as nearly as can be ascertained, to two cases of woolsens shipped to Bradford early in the year, and there discovered by the American consul, who immediately telegraphed to the Secretary of State in Washington that the conquest of the foreign markets had been accomplished. That episode has been the one amusing feature of the whole business.

The Gorman-Wilson law, whatever may have been its motive, actually did result to the great benefit of the wool manufacturers of Europe in the same proportion in which it reduced or ruined the wool and woolen industries of the United States. This historic fact is frankly acknowledged in every European review of the textile market for that time. Helmuth Schwartz & Co.'s annual circular, issued in London for 1895, makes the naive announcement that—

The dominant factor in the past 12 months has been the recovery and rapid development of the (British) export trade of wool and woolsens to the United States under the stimulating influence of free wool and reduced duties on goods.

The British Board of Trade returns showed that in the year 1895 almost the entire increase of exports of British wool manufactures had come in the trade with America. The United States in that year "was the largest customer of Great Britain, taking 24 per cent of her total export of woolsens."

The Bradford Observer, in its annual review of the trade for 1895, speaks of the year as "the most extraordinary of the waning century," and calls "the more reasonable tariff adopted by the United States" the most important of the factors which had produced this great boom in British industry.

The London Times, in a review of the British woolen trade, published these words of exaltation over the Democratic tariff:

There is room for doubt whether outside the West Riding of Yorkshire it is at all generally realized that the year 1895 witnessed a revival in the worsted industry of such magnitude as to be a matter not only for local but for national congratulation. After long years of depression, the varying, sometimes doubtless intermitted, gloom of

which had lately become painfully intense, the great manufacturing district of which Bradford is the center was visited last year by the full sunshine of prosperity. * * * Roughly speaking, the Gorman-Wilson tariff, which came into effective operation in the last month of 1894, in place of the strangling system of duties associated with the name of McKinley, reduced the customhouse charges upon the principal products of the Bradford district imported into the States from 100 per cent of their value to 50 per cent.

Thus it came about that the value of worsted coatings imported from the Bradford district into the United States in the first five months of 1895 was more than double that of the like imports during the whole year (December, 1893, to November, 1894), and the value in dollars for the whole of 1895, as compared to the whole of 1894 (years ending September 30), was \$7,575,052, against \$1,275,626, being an increase of fully 600 per cent.

And this was only one item in the great development received by the reviving industry of Bradford from across the Atlantic. Bradford had for months been able to supply the United States with a large amount of "stuff goods"—a classification embracing fabrics for ladies' dresses, whether of the soft or "bright" descriptions, and materials for use in the linings of both male and female apparel, which are largely made from the glossy yarns of long-stapled wools, woven upon a warp or foundation of cotton. Under this extensive category the imports into America from the Bradford district in the 10 years immediately preceding the McKinley tariff has been maintained at an average value of more than \$6,000,000 a year; and in 1890, owing, doubtless, to the anxiety of the merchants to fill up their stocks, it ran up to the very high figure of \$10,600,000.

Under the McKinley law the Bradford stuff goods imported into the United States were always under \$5,000,000 a year, and in 1894, through the same causes as those accounted for the great falling off of worsted coatings from Bradford, the value sank to little over \$2,200,000. Last year it sprang up with a bound to \$8,375,000. Much of this great leap was doubtless explicable in the same way as that which occurred in worsted coatings, but in the case of the "stuff goods" there came in that other element, fashion, which 20 years before had operated so injuriously to the trade of Bradford.

What has the future in store? From what has been said it will be seen that there are two main external influences which have a powerful effect on the fortunes of the Bradford trade—tariffs and fashions. As to the first, there is apparently a good deal of reason to fear that in 1897 or 1898 a system of largely enhanced import duties shall be brought into force in the United States. The more clearly assumed that the melancholy anticipation becomes, the larger, let us remember, is likely to be the importation of Bradford goods in America before the new tariff takes effect. But when it takes effect, there must invariably be a heavy drop in that importation. Nothing that Bradford can do can vitally affect the volume of the trade passing from its mills across the Atlantic. That issue rests with American politicians.

Under the McKinley law, the tariff of 1890, the number of sheep in the United States had reached a total of 47,000,000, according to the figures of the Department of Agriculture, and was increasing at about the rate of 1,000,000 a year. These sheep, at an average value of \$2.50 a head, were worth in 1892 the sum of \$118,000,000. These American sheep were decreasing at the rate of 3,000,000 annually under free wool. Their number had fallen on April 1, 1896, to 36,464,405, with an average value of \$1.70 a head. The loss in number was more than 10,000,000 sheep in three years, and in value over \$60,000,000. That is what the Gorman-Wilson law had cost American farmers in a single department of their great industry.

Under the McKinley law the wool product of the United States had reached in 1893 a total of 348,500,000 pounds, the largest clip in the history of this country.

The average value of this American wool was not far from 15 cents a pound on the farm, and at this rate the wool clip of 1893 was worth \$52,200,000 to the farmers of America. The clip of 1896 was not more than 270,000,000 pounds, and the average farm value was not more than 8 cents a pound, making the total value of the American clip of 1896 not more than \$20,800,000, or a loss of 60 per cent to the farmers of this country on their wool alone.

The Quarterly Bulletin of the National Association of Wool Manufacturers, in a review (vol. 26) of the effect of Gorman-Wilsonism on the American wool industry at this time, said:

In the bulletin of this association appear the monthly quotations of the prices of 60 different varieties and growths of domestic wools in the Boston markets. Taking these quotations by groups, as they are there arranged, and comparing the prices in April, 1890, with the prices in April, 1896, we have the following results by groups:

	Average price.		Per cent of decline.
	April, 1890.	April, 1896.	
Ohio, Pennsylvania, West Virginia, Michigan, New York, New England, Kentucky, Indiana, and Missouri, 24 varieties, washed and unwashed.....	Cents. 30.3	Cents. 17.4	42.3
Texas, California, Oregon, Montana, Wyoming, Utah, Colorado, New Mexico, Georgia, and Southern, 26 varieties, scoured.....	49.1	27.4	44.2
Pulled wools, 10 varieties, scoured.....	45.9	28.5	38
Total, 60 varieties.....	40.9	23.5	42.4

The average decline in the whole group is 42 per cent.

No other commodity, raw or manufactured, has suffered a decline in value which approximates this. Its extent and significance may be shown in the specific case of Ohio XX wool. It has dropped in value,

in the face of equal competition, from 29 cents in 1892 to 18½ cents per pound in 1896. The 1892 price on the scoured basis was about 28 cents above the value per scoured pound of the London price of the corresponding grade of Australian wool, while the 1896 price is about 4½ cents below the London scoured price of the like grade of Australian wool. This drop of 42 per cent in value represents the loss to the farmer from the repeal of the duty fixed by the McKinley Act. It is not in any sense due to a general decline in the world's wool markets, for a comparison of the London prices of various grades of wool, at the same dates, shows an average advance of about 9 per cent in 1896, as compared with 1892.

The pretense that the woolgrower got no benefit from the tariff on wool has thus been exploded for all time to come. With the obliteration of the theory has come the practical demonstration of the fact that the growing of wool can not be carried on as a profitable industry in this country without some measure of protection. Cheap as is domestic wool to-day, it is not as cheap, when all the conditions of shrinkage are taken into account, as many of the foreign wools which are now everywhere to be found in our markets. As the pressure of these foreign wools increases the prices of domestic wools are destined to fall still lower, in comparison with foreign prices. This is proved by the fact that they can not now be profitably shipped abroad for sale in competition with foreign wools. The experiment has been tried a number of times during the present year, and each time it has proved a failure. Some sale abroad may in time be found, but not at prices that will pay the farmer to export.

Thus it is evident that there is but one customer available for the domestic woolgrower, and that is the American manufacturer. But free wool will deprive him of that single customer. Indeed, this has already occurred in large measure, as is shown by the statistics of wool imports since the removal of the duty. In the first 12 months of free imports, 120,000,000 pounds of clothing wools entered our ports, an increase of over 300 per cent, as compared with the largest imports under duty; and the aggregate imports of all classes reached 250,000,000 pounds, as compared with 175,000,000 pounds in the largest year under dutiable wool. This total came within 20,000,000 pounds of the total production of domestic wool in 1896. If we add to it the rags, noils, wastes, shoddy, and other wool substitutes imported during the same period, we shall have a total about equal to the present year's clip. Very few years of increasing imports and diminishing clip will suffice to place the aggregate imports far above the domestic production. This enormous volume of foreign wool reached this country in a year when the consumption of American manufacturers was below normal quantity, and its presence here, much of it still unconsumed, explains the fact that there has been almost no market for American wools at any price.

The experiment has proved a practical demonstration that the United States must stop growing her own wool, except as a by-product, unless there is a reasonable duty placed upon the wool of countries which can grow it cheaper, because they grow it under conditions of a cheaper civilization. To learn this fact has cost our farmers an annual sum of money greater than the value of the property destroyed in the Boston fire of 1872.

That was the effect upon the farmers and ranchmen, upon the woolgrowers of the country, so far as the Gorman-Wilson tariff was concerned. How about its effect upon the manufactures? On this point the Bulletin of the National Association said:

These two years in which they have had unrestrained and unfettered access to the wools of the world have been the most disastrous in the history of the American wool manufacture, not excepting the collapse that followed the close of the War of 1812 or the panic of 1837 or the panic of 1857. These three occasions have heretofore stood in men's minds for the worst that could happen to this particular industry, in consequence of commercial panic or change in economic law. Neither of them furnishes a standard by which to measure the extent of the present disaster, because at neither period had the wool manufacture reached the relative importance among our national industries it has acquired under 30 years of thorough-going protection.

The disturbance in the industry began far in advance of the actual enactment of the tariff in 1894; the anticipation of the free-listing of wool operated to create a shrinkage in the values of all goods and stocks on hand, which brought them down to the free-wool basis long before the manufacturer could turn about, readjust his business, and make a new start. He received this blow between the eyes before the Wilson bill had even been drafted. It became necessary in every mill in the country to charge off a lump sum—greater or less, according to the amount of goods and stock on hand—a direct loss due to legislation that was only impending, which strained the resources of the most solvent concerns.

The woolen schedule did not go into effect until January 1, 1895, four months after the rest of the tariff bill became operative. In the very first month the true significance of the abandonment of specific duties began to appear. There was no longer any clew to the values which domestic manufacturers must meet to hold their market. All the old standards were broken down. The volume of the imports soon became appalling. * * * It was like the breaking loose of the Johnstown reservoir—it swept everything before it.

* * * The output of American mills was reduced in a larger percentage in 1895 than the imports were increased; to such a degree, in fact, that it is safe to say that nearly one-half of all the woolsens which entered into consumption in that year were of foreign manufacture. We have in this country enough woolen machinery to manufacture all the woolen goods our people can consume. But we have no use for it under the present tariff.

Toward the end of the year 1895 production began to decrease, and before the heavy-weight season was over nearly one-half of the machinery employed upon men's wear was idle. In the transition from the heavy-weight to the light-weight season the real condition of the American wool manufacture was for the first time apparent. Many mills shut down entirely; others ran alternate days or half or two-thirds time; still others discharged the half or more of their employees; and with the advance of this summer about 80 per cent of the wool machinery of the country stood idle.

This idleness of American mills under the pressure of huge imports of cheap-wage woolen products from abroad soon bred widespread disaster to the industries of the United States.

To take a mere partial record of the ruin wrought by Gorman-Wilsonism in the year 1896: In January the Halifax Mills, of Laconia, N. H., were attached for \$75,000, the machinery was

stopped, and the mills were closed. The Saxon Worsted Co., of Providence, R. I., shut its doors and went out of business. The firm of Wilson H. Brown & Co., of Germantown, Pa., was dissolved and merged into the Leicester Mills. The Windermere Mills, in Rockville, Conn., one of the most ancient and famous of American wool-manufacturing towns, were sold for a bicycle factory. The East Pond Manufacturing Co., of Newport, Me., failed. The Saxony Woolen Mill, of Trenton, N. J., and the Earl Knitting Mills, of Northville, N. Y., were closed and disposed of.

In February of that disastrous year the Pioneer Worsted Mill, of Louisville, Ky., was sold; the Standard Worsted Mill, of Lowell, Mass., fell into the hands of the auctioneer; and the Eastlake Woolen Co., of Bridgeton, N. J., was taken over on account of a mortgage. In March the Crane & Waters Mill at Millbury, Mass., was sold, and the Halifax Mills, of New Hampshire, were put up at auction. James Long Bros & Co. and the Angora Mills, of Philadelphia, both assigned.

In April of this Democratic year of 1896 the Lion Knitting Mills, of Cohoes, N. Y., were sold under foreclosure of mortgage. J. C. & J. C. Miller, of Baldwinsville, N. Y., assigned, with liabilities of \$500,000. The Allen Woolen Mill, of Hanover, Conn., failed. The Lacon Woolen Manufacturing Co., of Lacon, Ill., was sold, as was the Houlton Woolen Mill, of Houlton, Me. The Hope Mill, of Waterford, N. Y.; the Meyers Hosiery Mill, of Philadelphia; and the Tremont Worsted Co., of Methuen, Mass., assigned; and the Arnold & Perkins Manufacturing Co., of Pascoag, R. I., disposed of its machinery.

In May the Glenmore Worsted Mills, of Philadelphia, were attached; the Hudson Valley Knitting Co., of Amsterdam, N. Y., failed, and had its stock sold out by the sheriff. In June the Nonantum Worsted Mills, of Newton, Mass., failed, and the Everett Woolen Mills were sold in Great Barrington, Mass. In July the Empire State Knitting Mills, of Schenectady, N. Y., assigned, and its stock and plant were disposed of for what they would bring. There was a sale also of the Spencer Woolen Mill, of Spencer, Mass. The record of this month is full of other failures, sales, and reorganizations in the woolen business.

All of this time the woolen and worsted factories of England, the great beneficiaries of the Gorman-Wilson legislation, were working overtime with their cheap labor on goods for the American markets and were enjoying a prosperity which the Bradford Observer well calls "the most extraordinary of the waning century." But there was a grim difference in the United States. In August, the Brooklyn Knitting Mill, of Brooklyn, N. Y., failed. The Franklin Woolen Co., of Jackson, Ohio, failed. So did Davis, Russel & Co., of Phoenixville, Pa., and the Hampshire Blanket Co., of Williamsburg, Mass. The Dubois Knitting Mill Co., of Dubois, Pa., went into voluntary liquidation. In September the New Albany Woolen Mills, of New Albany, Ind., failed, and the property was sold at auction. The American Wool & Felt Manufacturing Co., of Kansas City, Mo., was attached; the Rose Valley Woolen Co., of Auburn, N. Y., failed, and the Enterprise Knitting Mill, of Cohoes, N. Y., was sold under foreclosure of a mortgage. A little later the Albany Woolen Mills, of Albany, Oreg., went into the hands of a receiver, and the Kennebec Woolen Mills, of Philadelphia, assigned with liabilities of \$70,000. The Anchor Knitting Mills were bought in by the mortgagee. The great carpet factory of Alexander Smith & Sons' Co., at Yonkers, N. Y., closed down for the time being, because it could not find the market for its products, which were piling up in the storehouses while foreign goods were pouring into the country.

This is how the Gorman-Wilson law—a more favorable law by far to American manufacturers than this new Democratic proposal—dealt with the manufacturers and the wage earners of the United States. It meant idleness, loss, bankruptcy, starvation for them, and high, exultant prosperity for their competitors in Europe.

Gentlemen of the committee, it is my prediction that if this proposed measure is enacted into law the growers of wool and the raisers of sheep will again suffer an inestimable financial loss, as was the case under the so-called Wilson-Gorman Tariff Act of 1894, which is so fresh in the memories of the people then trying to make a living by the raising of sheep and wool.

The woolgrower of the United States has no other market for his product than the woolen manufacturer of the United States. The two industries, woolgrowing and wool manufacturing, go hand in hand. One can not succeed without the other. The woolen manufacturers can not possibly survive without adequate protection against foreign wools produced cheaper than American wools can be produced. One of two things must happen if this measure becomes a law—the woolen manufacturers of the United States must go into bankruptcy or the labor employed, both in the production of wool and the

manufacturing of the same, must be reduced to a level with labor employed not only in England, but in the Orient.

Our Democratic friends hold out the hope and the sop to the consumers of woolen clothing that if the duty on wool and woolens is reduced the laboring man will obtain his clothing just that much cheaper, but they should also add this statement, that there never was a time in our history when the laboring man for his week's wages could purchase more woolen clothing than he can to-day. The clothing, the food, and all the necessities and comforts of life enjoyed by the laboring men of this country are measured by his purchasing power. If low prices on manufactured and agricultural articles prevail on account of greater importations of these articles from abroad, the result is inevitable—the wages of the labor producing such articles in this country must be lowered and the amount of employment offered to American labor reduced, for the greatest evidence that our industries have been transferred abroad is the fact proven by heavy importations.

In concluding I wish to submit some instructive figures showing the decline in the number of sheep in the United States during the operation of the Wilson-Gorman tariff law. The figures explain themselves:

Number of sheep of shearing age in the United States and the wool product, 1891-1910, inclusive, as estimated by the National Association of Wool Manufacturers.

Years.	Sheep.	Wool.
	Number.	Pounds.
1891.....	43,419,136	303,401,507
1892.....	44,938,365	333,015,006
1893.....	47,273,553	348,538,138
1894.....	43,501,994	325,210,712
1895.....	39,949,388	294,296,726
1896.....	36,464,405	272,474,708
1897.....	34,784,287	259,153,251
1898.....	35,671,914	266,720,684
1899.....	36,905,497	272,191,330
1900.....	40,267,818	288,636,621
1901.....	41,920,900	302,502,328
1902.....	42,154,122	316,341,032
1903.....	39,284,000	287,450,000
1904.....	38,342,072	291,783,032
1905.....	38,621,476	295,488,438
1906.....	38,540,798	298,915,130
1907.....	38,864,931	298,294,750
1908.....	40,311,548	311,138,321
1909.....	42,298,265	328,110,749
1910.....	41,998,500	321,362,750

Mr. Chairman and gentlemen, I thank you.

Mr. MURDOCK. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

Mr. LENROOT. Mr. Chairman, if there is any necessity—

Mr. MURDOCK. Mr. Chairman, I yield the floor to the gentleman.

The CHAIRMAN. The Chair will state for the information of the gentleman from Kansas [Mr. MURDOCK] that there is an amendment now pending.

Mr. LENROOT. Mr. Chairman, if there was any question as to the necessity of the amendment of the gentleman from Illinois to perfect this bill, it seems to me it has been entirely removed by the reading of the court decisions by the gentleman from Massachusetts [Mr. PETERS].

Mr. Chairman, I urge this amendment, not as one hostile to the bill, but as one who intends to vote for it and wishes to perfect it so far as possible. [Applause on the Democratic side.]

These decisions that were read by the gentleman from Massachusetts amount simply to this: That in the law then being construed there were two conflicting provisions, one laying a duty upon articles made wholly or in part of wool, and another laying certain duties upon articles where the component part of chief value was a certain material. Now, it is a familiar rule in the construction of statutes that specific provisions must control and govern general language, and all that the court decided in that case was that the provision "component part of chief value" was more specific than the provision "wholly or in part of wool." And so the decision was made, and it could not have been otherwise.

But I submit, Mr. Chairman, that this is an entirely different case. I submit that no one can cite any authority holding that general language in a subsequent statute does not control and govern specific language in any prior statute.

And so the construction of this bill must be—indeed, there is no room for construction, because it is so plain—that if it passes in its present form all articles of wool or partly of wool not otherwise provided for in this bill will come in under a 40 per cent ad valorem duty.

Mr. Chairman, what will be the result of that? Turn to the silk schedule, for instance. The duties in that schedule run from 60 to 128 per cent where the material consists of 30 per cent or more of silk. These are all luxuries. You will reduce the tariff on these luxuries, now ranging from 60 to 130 per cent, where they contain a small part of wool, down to 40 per cent.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LENROOT. I should like three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LENROOT. Is that a part of your scheme of tariff revision, to reduce the duties upon luxuries?

Take the other extreme. Turn to the cotton schedule, and we have there duties running from 27 per cent up. With the construction that will follow in this bill, in certain kinds of cotton, where the duty is now 27, 30, or 35 per cent for cheap goods, matters of necessity to the common people, if they are composed in part of wool you propose to increase the duties upon those articles to 40 per cent ad valorem. Is that part of your policy of tariff revision?

Mr. Chairman, it seems so clear to me that this amendment is necessary that I say in the utmost good faith to gentlemen upon the other side of the Chamber they ought to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question being taken, the Chairman announced that the "noes" appeared to have it.

Mr. MANN. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 51, noes 119.

Accordingly the amendment was rejected.

Mr. MURDOCK. Mr. Chairman, I offer the amendment which is at the Clerk's desk.

The Clerk read as follows:

Amend by adding after the words "ad valorem" in line 19, page 2: "Provided, That all worsted coatings, serges, and suitings for men's wear, and all worsted-filling cassimeres, doeskins, jeans, tweeds, coatings, suitings, and other cotton-warp goods for men's wear shall be admitted free of duty."

Mr. MURDOCK. Mr. Chairman, I have in this amendment attempted to reach that variety of worsted goods which go on a man's back. There are two kinds of worsted goods for men's wear. One is an all-wool worsted and the other is a wool-filled worsted, the warp being of cotton and the filling of wool.

We make in woolen fabrics in this country about 510,000,000 square yards. Of that amount 210,000,000 square yards are worsted, but apparently only 59,000,000 square yards of worsted, all wool, reach the backs of men in this country for clothing, and only about 16,000,000 square yards of cotton warp and woolen filling. In other words, the amendment which I have offered reaches 75,000,000 square yards of worsted fabrics.

I want to say to the House again that I am perfectly aware that there is no disposition on the part of this committee to amend this bill. It is my belief that there will be no wool legislation in the Sixty-second Congress, but I predict to all in this House that whether the Republicans or the Democrats are in control in the Sixty-third Congress, worsted fabrics for men's wear will go on the free list.

It is no new thing to put worsted fabrics on the free list. They were on the free list in most of the tariffs before the Civil War.

In the law of 1867 they were given the preference of a tariff, a tariff which they enjoyed for almost half a century, save for one short period, and I want to take a moment to point out that period. We passed an act in 1883 which reduced the duty on worsteds, and that duty remained in the law for seven years. The worsted industry did not decline, it did not suffer, it was not put out of business; it went ahead and enjoyed a normal growth. Now here is a scene which occurred in this Hall on May 9, 1890, and I commend it to my friends. This resolution was passed:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to classify as woolen cloths all imports of worsted cloth, whether known under the name of worsted cloth or under the names of worsteds or diagonals or otherwise.

It is an interesting incident which I commend to my friends in the House of Representatives, that it passed by 138 yeas, with 189 Members present in addition and not voting.

Now, the worsted trust has enjoyed all sorts of favors in the past.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. MURDOCK. I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas? [After a pause.] The Chair hears none.

Mr. MURDOCK. Now, here is a proposition to admit free merely the worsted fabrics that are worn by the average citizen of the United States. It will not materially affect your revenues. There are other ways of getting revenue. It will, so far as the tariff can, bring relief, partial relief to men who wear worsted in this country. And I have no doubt that if the gentlemen of the majority in this House had not subscribed to the caucus that they would vote this amendment up and in.

Mr. RICHARDSON. Mr. Chairman, I move to strike out the last word. I have listened, Mr. Chairman, with a great deal of pleasure and instruction to the debate on the woolen schedule. I have become thoroughly satisfied that wool occupies the important position that a great Republican gave it, as being the "key of the arch of protection." No schedule on the tariff list so clearly draws the lines of demarkation between the policies and principles of two great political parties of this country—the Democratic and the Republican Parties—as does the tariff on wool. Why this is true can hardly be told, but yet, 'tis true. I dare say that never before in the history of this country has the interest and attention of the American people been more intensely focused on the tariff, and especially now on wool.

The Republican Party, that for more than 16 years has bestowed its most valuable special favors of the wool and woolen interests to enrich a class, has been overthrown in the popular branch of the Government, and the overthrow at the polls, in public estimation, is chiefly attributable to the dictation of the Association of Wool Manufacturers of Maine—woolen schedule—which the Republican Party openly admitted on the floor of the House in its pretended revision in 1909 was too strong to resist, and placidly yielded to the continuance of its enormities on the American people.

No beneficial change scarcely of any character in the woolen schedule was made in the law of 1897 by the Payne-Aldrich law of 1909. The Republican Party possessed a guilty knowledge of the inordinate exaction concealed in the bewildering classifications of Schedule K. The clamor that came up from the people everywhere against these excessive tax burdens went unheeded and unnoticed. Mr. Taft, while Secretary of War, said in a speech he delivered on September 5, 1906, at Bath, Me.:

Speaking my individual opinion, and for no one else, I believe that since the passage of the Dingley bill there has been a change in the business conditions of the country, making it wise and just to revise the existing tariff. The sentiment in favor of a revision of the tariff is growing in the Republican Party, and in the near future the members of the party will doubtless be able to agree on a reasonable plan. How soon the feeling in favor of revision shall crystallize into action can not be foretold, but it is certain to come, and with it those schedules of the tariff which have inequalities and are excessive will be readjusted.

"How soon the feeling in favor of revision shall crystallize into action can not be foretold." The tariffs which have "inequalities and are excessive" will be readjusted. How long and patiently the people were fed on such political chaff! But were the "inequalities" and "excessive" duties readjusted? Were they reduced, as Mr. Taft promised in his Bath speech?

I quote this clipping for the purpose of showing that the Republican Party was warned as to what the people expected and demanded in the reduction of tariff duties. Some time after this, when Mr. Taft had been elected President on the platform adopted at the Republican national convention of 1898, in making a speech at Milwaukee in September, 1908, he said:

I expect to recommend to Congress a genuine and honest revision of the tariff.

Then, after Mr. Taft was elected President, in making a speech on December 16, 1908, to the Ohio Society of New York City, in speaking of the pledge of his party:

On this plank we were successful; and unless we act in accordance with our promises, or if we only keep the word of promise to the ear and break it to the hope, we shall be made accountable to the American people and suffer such consequences as failure to keep faith has always been visited with. Better to have no revision at all unless we are going to honestly and faithfully revise the tariff on the basis promised by our party.

These are the utterances of your President—a Republican. He believed that the pledge and promise made in the Republican platform was to reduce excessive rates. He was honest, innocent, and guileless then. He had a suspicion then that the standpatters of his party were "fooling" and so they were.

But my purpose is to call attention of the committee to a strange and apparently meaningless sentence at the close of the minority report of the members of the Ways and Means Committee. It is as follows:

For purely political reasons this cold-blooded measure is brought forward.

Think of it—"cold blooded." If the old adage is to prevail, "That you judge the force of the shot by the fluttering of the birds," then this wool bill as presented has done irreparable damage in the ranks of the Republican Party.

The Democrats who are guiding us in this Congress are not denying that there is just as much politics in the air all around us as can well be. You know this is a fact and we know it on this side of the Chamber. But you forget one important fact, that this "cold-blooded measure" receives from the masses of the people this encomium, "that he who serves his party best serves his country best." I speak for myself when I say that no House of Representatives has assembled in Washington for the last half century that is charged more decidedly with the responsibility of shaping legislation that would give victory or defeat next year to the Democracy than the present Democratic House. We are bringing Schedule K up now because it is more oppressive on the people than any other tariff schedule.

And again I repeat, Mr. Chairman, that I recognize the presentation and discussion of the wool schedule at this time as the most auspicious event in the struggle we are making for our party. It gives us the welcomed opportunity on a subject of universal interest to show and convince the country that the Democratic Party does not propose to be rash and reckless in handling the great interests of our country. We recognize that the demand for a reduction of the excessive tariff duties imposed and enforced by the Republican Party in the woolen schedule, but in cotton cloth and many other articles, exists among patriotic and unselfish citizens of all classes throughout the country, and a true utterance of that demand was recorded by the election last November.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. RICHARDSON. I move to strike out the last two words.

Mr. UNDERWOOD. Mr. Chairman, I would suggest to the gentleman that his motion is in the nature of an amendment in the third degree, but I ask unanimous consent that he may proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RICHARDSON. Mr. Chairman, to continue.

The people will bear patiently with a work the result of thoughtful care and prudence, while they will become angry and condemn inconsiderate, reckless party action. I realize and appreciate the fact that raw wool is lustily declared by some to be the first and most important subject worthy of the free list. Under certain conditions that would be true, but those conditions do not exist now. This woolen schedule and the action of a Democratic caucus on the same, which action will be ratified on the floor of the House in a few hours, indicate to the country that no change will be made which of itself will cause any sudden or violent interruption or readjustment of business interests of the country. Under the policy of the Republican Party of building up great business combines by special favors and preferences under the tariff schedules large amounts of capital have been accumulated and invested. We can not afford to so handle most large interests with such disregard as would bring on a business convulsion by attempting to undo all of that by one stroke. We could not have satisfied our political opponents as much in any other way as by putting raw wool on the free list.

Speaking alone for myself, I believe it is politically wise for our party to establish a national policy for the laying and collection of tariff duties based on revenue which will remove the menace that at every national election confronts our industrial system, which paralyzes business. It can not be denied that the Republican policy of excessive prohibitive duties has invited the economic and industrial agitations that we have suffered from for many years past. And they will continue just as long as our people are willing to have their money taken by the Government from them under the guise of law to create wealth and power for a favored class. This woolen, more than any other tariff, offends in that way. It has been truly declared that the woolen schedule was the key to the arch of protection. No one can fairly claim that if the policy of a tariff for revenue is made our national policy that any great injury will result to our home industries by a gradual adjustment. It is manifest that the interests of labor has been used by the Republican Party to conceal its real purpose of unjust gains for the manufacturer. The manufacturer nor the laborer will suffer under the economic and just policy of a tariff for revenue.

In this tariff on raw wool, imposed, as I believe, in good faith, for revenue and in strict accord with the fundamental Democratic creed and without directly or indirectly contravening any Democratic platform for revenue, we are bound to know

that such a tariff carries with it a limited protection to home industries.

Mr. Chairman, it occurs to me that we could not have given more genuine political satisfaction to our political opponents than by putting raw wool on the free list. They would have lustily charged us with abandoning the Treasury of the Government by placing an article on the free list that annually yielded millions of revenue to aid in bearing the expenses of the Government.

We have correspondingly disappointed them by placing on raw wool a tariff of 20 per cent, something less than one-half of the tariff under the present law. This woolen schedule and our surroundings makes us hopeful that the National Democratic Party is on its way back to its great and fundamental principles, the assertion and adherence to which has made the Democratic Party the great party of this country, that truly represents the interests of the masses against the grasping greed of the classes. "Equal rights to all and special privileges to none."

Mr. Taft, in speaking of the evils of the protective policy of the Republican Party for past years, said in his letter to the Republican national congressional committee, under date of August 20, 1910:

The evil of excessive tariff rates, however, showed itself in the temptation of manufacturers to combine and suppress competition, and then to maintain the prices so as to take advantage of the excess of the tariff rate over the difference between the cost of production abroad and here.

The wool schedule was manipulated in the way the President described, and for years millions have been extorted from the people to enrich a class favored by the Republican Party. The President declared himself that the wool schedule was "indefensible." That is strong language. The wool duties are hoary with age. If we subject it to fair and equitable rule of law the arch of protection is weakened.

I think this a suitable occasion to congratulate the Democratic leaders of the House that they have laid down such a wise, discreet program as the business of this special session and the manner it is being carried out gives cheer and great stimulus and hope to our party. We do not mean to go into the shop and destroy all of the cutlery. What we want to get is the confidence of the people, which the Democratic Party needs, and we have the opportunity at this time of getting that. That is what we need more than anything else. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN (Mr. SULZER). An amendment is pending, and the Chair recognizes the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Mr. Chairman, the other day, in an address to the House, I referred to a suit of clothes made from a piece of cloth manufactured in a mill in Rhode Island. The cost of that cloth laid down by the manufacturer was \$7.87½. I emphasize the cost price of the cloth, for it contained 3½ yards, sufficient to make a suit of clothes. It was laid down by the manufacturer at \$7.87½. It was American-made cloth, with all of the tariff charges and all of the manufacturer's charges, and all of the woolgrower's charges, and all the mill worker's charges paid. That piece of cloth was taken to a tailor, who made it up into a suit of clothes, for which he charged me \$30. I took the cloth to the tailor because I wanted to find out who paid the tariff on it. I wanted to find out where the consumer was hit by the tariff on the purchase of the finished garment.

DRAWING THE TAILOR'S FIRE.

I have drawn the fire of the tailor who made the suit. He does not agree with me upon the question of the tariff, and still insists that it is an iniquity, although the tariff charges upon that \$7.87½ piece of cloth, if imported, would have been \$3.92. My speech attracted some attention in the newspapers, and has invited an answer from the tailor. I have his letter before me. In it he gives some figures that I desire to lay before the House.

Here is the letter:

PHILADELPHIA, June 15, 1911.

Hon. J. HAMPTON MOORE, Washington, D. C.

MY DEAR MR. MOORE: I have read with more than ordinary interest your remarks upon the revision of the woolen schedule as reported to-day in the Public Ledger, and especially that portion which refers to the conversation with your tailor. I recall the conversation perfectly, but as quoted there is such an unfair impression created regarding tailors' prices and profits, that knowing you as well as I do, I am sure you would not intentionally or deliberately be a party to making that kind of an impression.

I want the privilege of submitting the following facts and data to illuminate the subject which will probably interest yourself and the House as well as the public, and authorize you to use them, if you see fit to do so.

Taking up the price of \$30, which you paid me for making, cutting, and fitting the suit in question, I submit the following figures of costs:

Wages paid pieceworkers on coat, vest, and trousers	\$12.50
Wages paid weekly and yearly workers	6.50
Paid for material (trimmings)	4.50
Gross profits (21½ per cent)	6.50

Total..... 30.00

LABOR WAS PAID ITS SHARE.

You will notice that \$19 was paid to labor alone in the first two items. Trimmings cost include mohair lining, canvas, linens, silk, cottons, and various other sundries which paid duty to the Government or were manufactured in this highly protected country. Lastly, gross profits of \$6.50 includes cost of doing business, such as rent, general expense, advertising, insurance, interest on capital, and also net profit for the man who runs the business, which includes his labor or services. Now, as a manufacturing business which requires, as the tailoring business does, highly skilled operatives, does it strike you that we are the "robber barons"? It must also be remembered that a tailor working organization must be kept together for 12 months in the year, while the public has use for him about 7 months. He can not hibernate the other 5 months while the public won't buy, because they don't need him—it is a business of seasons, and we must live on such net surplus as remains after paying the foregoing costs referred to out of the 21½ per cent gross profit. A department store, whose business never stops a day during the year, will not try to do business for a gross profit of less than 25 per cent to 33½ per cent, while the tailor gets less than 25 per cent, being due to the fact that his labor cost and his woolen or trimming charges are so great that he can not put so large a percentage of profit and sell his goods.

In the matter of cost of the cloth in the suit you mention, assuming that it is accurately quoted as \$7.87½, I have handled, bought, and sold wools for about 30 years and make this statement, to which I challenge contradiction, that no tailor in the United States can buy the cloth in your suit for \$7.87½ in a regular way. I doubt whether a clothing manufacturer would be able to buy it for \$2.75 per yard by the piece of 35 to 40 yards.

I do not know anything about the profits of the woolen jobber, but the price you quote—\$2.25—for your cloth at the mill and the price the tailor pays before it reaches the final consumer, opens up a very interesting vista.

I write you in the interest of fair play—which I know you stand for—taking up only the tailor's side of the case, who in the past few years has become a much abused and long suffering manufacturing tradesman, whose profits the public say are large, but the aforesaid tradesman all over this country is in most cases making but his living, and is losing his eyesight looking for the "big profits."

As a tailor I favor a moderate revision of the tariff on woolsens, but the present Schedule K is a monstrous injustice to the public and the tailor.

Yours, faithfully and sincerely,

W. H. DIXON, Merchant Tailor.

THIS LABOR WAS PROTECTED.

Now, Mr. Chairman, I have only five minutes, under the rule, in which to make this talk. In my speech the other day I called for an explanation of the \$30 charge for making up a suit out of a \$7.87½ piece of cloth. Notwithstanding Mr. Dixon's statement, this was very high-priced American cloth. Now, my answer comes in the letter just quoted. It fully supports the contention I have been making that the tariff has little or nothing to do with the price to the consumer in the protection of \$3.92 lodged at the customhouse against that \$7.87½ worth of cloth. The American woolgrower was benefited and every workman, from the man who sorted the wool up through the scouring, carding, combing, dyeing, and finishing process to the weaving and delivery of the woven cloth, was protected. Our quarrel with the tariff, if we had any, was up to this point and no further, except as it may have affected tailors' trimmings.

Now, what does the tailor say in justification of the \$30 charge? He says substantially what the manufacturer said: "I did not get it." Where, then, did it go? Let Mr. Dixon answer:

Piece wageworkers	\$12.50
Wage earners regularly employed	6.50
Total labor cost	19.00

There is my whole argument. Labor was taken care of in the transaction and had to be taken care of before the finished garment was delivered. I was willing to pay that \$30, including the tailor's profit of \$6.50, because I preferred to pay the American wage and encourage American industries all along the line, from the woolgrower to the merchant tailor. If I had purchased that suit in England under similar circumstances the cloth could have been obtained for the \$7.87½, minus the tariff of \$3.92, but there would have been a displacement of all the American labor in all the branches of industry that engaged in the production and manufacture of the cloth, and I would have obtained the suit, so far as the tailor was concerned, for one-half his \$19 labor cost, or \$9.50, since labor receives one-half the wage in England it receives in the United States.

ALL BRANCHES OF THE INDUSTRY INVOLVED.

I have no fault to find with the profit of \$6.50 made by the American tailor on this suit of clothes, nor on the \$19 paid for labor in making up the suit, for I presume that is a fair American wage, but I do find fault with the Democratic Party and all others who are depressing wool prices, and wages, and who seek to break down the tariff barriers and remove protec-

tion to American labor by charging unjustly that the manufacturer is the only beneficiary of the protective system. I think I have shown that you can not strike the manufacturer without also carrying down the woolgrower, the workingman in the mill, and even the merchant tailor. In the instance of this suit of clothes we have seen that the tariff helped to keep employed woolgrowers, woolsorters, scourers, carders, combers, dyers, weavers, and finishers, and that, in addition to them, it protected wage earners employed by the merchant tailor, including cutters, seamstresses, and other skilled labor. We have also seen that the profit of the cloth manufacturer upon this particular piece of goods was 10 cents a yard, or 35 cents for the entire piece, and that notwithstanding the suggestion that there may be middlemen who enhance the price of the cloth, as between the cloth maker and the tailor, the profit of the latter, including his overhead charges, was \$6.50, as against the cloth manufacturer's profit of 35 cents, the tariff being against the cloth man and not up to the tailor at all.

TIME FOR DISCUSSION LIMITED.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask for five minutes more.

Mr. SISSON. Mr. Chairman, I am not going to object to my good friend having one more minute, but—

Mr. MOORE of Pennsylvania. Five minutes! The gentleman from Mississippi would not be satisfied with one minute on a matter of this importance.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SISSON. Mr. Chairman, I am going to serve notice now—

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to speak for five minutes more. Is there objection?

Mr. SISSON. Mr. Chairman, I want to say now I serve notice—

Mr. HARRISON of New York. Mr. Chairman, I object.

Mr. MOORE of Pennsylvania. Then, Mr. Chairman, in view of the letter already introduced, I shall have to content myself by extending in the Record a letter from Mr. Nathan H. Folwell, president of the Manufacturers' Club of Philadelphia, and a large manufacturer himself, which gives the other side of this question. I have a sample of the pure worsted cloth referred to in Mr. Folwell's letter, quoted at substantially \$1.10 per yard for tailor's purposes. I think most anybody would be glad to wear it, especially if made up into women's dress goods, and, as a rule, women do not pay less than their husbands for what they wear.

A MANUFACTURER GIVES PRICES.

FOLWELL BRO. & CO.,
Philadelphia, June 19, 1911.

Hon. J. HAMPTON MOORE,
Washington, D. C.

DEAR SIR: At the request of Mr. John P. Wood I send you a sample of our fancy worsted, 58 inches wide, 9 to 9½ ounces, with the detailed cost of the same of \$0.966.

We are willing to take orders on these goods at (net cash) — \$1.1025.
The cost of selling these goods is 6 per cent. — .06615

Which would net us — 1.03635
Deducting the cost of the same — .966

Total — .07035

These figures are based on the present cost of wool, which, on account of the tariff agitation, is very much below the foreign cost with the duty added.

Prior to this tariff agitation wool here brought the same price as foreign wool with the duty added. Then the goods cost us \$1.1125.

We sold them at — \$1.2825
Less the cost of selling, 6 per cent. — .0769

Which would net us — 1.20555
Deducting the cost of the same — 1.1225

.0831

or less than 7½ per cent on the selling price.

You can make use of these figures if you wish to combat the ideas of Mr. UNDERWOOD that we are trying to rob the consumers.

Truly, yours,

N. T. FOLWELL.

P. S.—From the above you see we make less than 10 cents per yard.

PERCENTAGES OF COST.

FOLWELL, BRO. & CO.,
Philadelphia, June 19, 1911.

Mr. N. T. FOLWELL,
625 Chestnut Street.

DEAR SIR: I inclose you a detailed statement of the cost of our No. 410 X, 58-inch, fancy worsted. The warp in these goods being made from 50 per cent of 10s domestic wool and 50 per cent of 7s domestic wool. The filling being of 7s. The 10s represent a full blood X wool and the 7s represent a one-half blood.

I have carefully gone into the various items entering into the cost of these goods, and find them to be as follows:

Sixty per cent in cost of materials.

Twenty-six per cent in wages.

Fourteen per cent in fixed charges, which represents interest on capital, rent of our buildings, motive power, and all supplies used in making the yarns, dyeing, etc.

I also inclose you the wool tests which show you the shrinkage actually made on these goods. These items represent the data collected in making thousands of these pieces, showing the same to be correct.

Trusting this is what you require, I am,

Very truly, yours,

MITCHELL STEAD.

FOLWELL, BRO. & CO.,
Philadelphia, June 19, 1911.

COST OF NO. 410 X, 58-INCH, FANCY WORSTED, WEIGHING 9½ OUNCES PER YARD.

Expenses.....	\$31.50
Materials (yarns).....	358.85
Weaving wages.....	31.50
Dressing.....	6.00
Mending.....	10.00
Finishing.....	20.00

A total of \$457.85 for 500 yards, or 92 cents per yard.

Add to this 5 per cent for damages, returns for all causes, and for cancellations, making an actual cost of 96.60 cents per yard.

WHERE IS THE "ROBBER BARON"?

Recurring to the statement of Mr. Dixon, the tailor, that the tailor's gross profit of \$6.50 on a suit of clothes does not make the tailor a "robber baron," I invite a comparison of that profit with the profit of 35 cents to the cloth maker on the 3½ yards in question, and ask wherein the cloth manufacturer, who has taken greater risks in the construction of his mill and in the employment of so many more people than the tailor employs, is a "robber baron"? Mr. Folwell's figures, just given, indicate that he is willing to sell all the "fancy worsted" above described at substantially \$1.10 per yard. Three and one-half yards of this material, if used for the purpose, would make a suit of clothes. The total cloth cost is thus shown to be \$3.85. May I ask, in view of the fact that this is the material which the tariff protected, what the retail department store would charge for a suit of clothes ready made from such material? Does any one contend for a moment that such a suit could be purchased for less than \$12 or \$15, or even \$20 or \$25? Or can anyone tell what the merchant tailor would charge above the cloth price of \$3.85? I have said repeatedly, and I say it again, that the "iniquitous" tariff to which Mr. Dixon, the tailor, still objects is all within the \$3.85, and before he appears upon the scene, as it were. Everything above that figure, except tailors' trimmings, is subject to employment, tailor's charges and American wages. Or, to make the matter still more plain, the "robber baron," if there be any, is hidden in the \$3.85 only. The Democratic Party apparently sees no "robber baron" in the difference between the \$3.85 and the ready-made dealer's price of \$15 or \$20, or the tailor's charge of anything all the way up to \$75.

BETWIXT CLOTH AND CONSUMER.

In my address before this House on June 14 last I exhibited samples of American-made cloth having the benefit of the protective tariff, which were quoted for 3½ yards at \$3.93, \$4.29, and \$4.38. I stated then, and I repeat, that many manufacturers would gladly agree to make that material on long-term contracts for a profit of 5 cents a yard, or 17½ cents for the suit, as against the tailor's profit of \$6.50, more or less, for making up the suit. I stated that yarn makers were willing to take contracts to deliver yarns at a profit of 5 cents a pound. Now comes the Folwell statement, above quoted, which shows that with regard to the cloth exhibited his concern is willing to sell it at \$1.10 per yard. The manufacturer's net profit is less than 10 cents per yard.

AMERICAN WORKERS DID THE WORK.

In this instance, and upon examining the statement with regard to the cost of this particular fancy worsted, we find that 60 per cent is in materials, 26 per cent in wages, and 14 per cent in fixed charges. As to the 60 per cent in cost of materials, we find upon closer examination that "materials" means wool produced by the American woolgrower at American prices, sorted by American sorters, scoured by American scourers, carded by American carders, combed by American combers, spun by American spinners, dyed, finished, and woven by American operatives in those grades, and that all these have to be considered and accounted for before the manufacturer can come out with his profit of less than 10 cents per yard.

Now, Mr. Chairman, in making this statement I am not pleading the cause of the manufacturer so much as I am pleading the cause of the American farmer and the American workman. If you are going to transplant all this business to the other side of the water, you are not smiting the manufacturer with more severity than you will smite the farmer and the indus-

trial worker. If the price of cloth is high to the consumer, you have not developed a remedy in your attack upon the protective-tariff system. Neither will you reduce the price of clothing without reducing the power of the wage-earning consumer to purchase clothing. There is ample precedent for this statement.

DO PRICES COME DOWN? NO.

We levied a duty once upon coffee, but we took it away upon the theory that the consumer would get coffee cheaper. The consumer not only failed to get coffee cheaper, but the Brazilian Government matched our generosity in taking off the American tariff by imposing a Brazilian export duty. Brazil took for its treasury what we rejected from ours and the consumer paid the same old price for coffee. There is no duty upon tea, and yet tea comes into the United States at as low as 7 and 11 cents a pound. No labor is employed upon tea in this country, and yet the price of tea is just as high to the consumer as it ever was. The truth is that if we were to levy a duty upon tea and make the importer pay that duty, we would still get tea at the same old price. Instead of the importer getting the duty, as he does now, in effect, it would go into the Treasury of the United States and relieve people of the direct taxation which the Democratic Party is aiming to impose upon them.

I shall be very much mistaken, Mr. Chairman, if the passage of this wool bill does not work injury in industrial districts throughout the country. It certainly holds out no promise of cheaper clothing, while it does anticipate a lowering in the prices of American wool and a depression in the wage-earning power of the textile worker. Such depression is to be deplored, and the pretense of "finding revenue" for the Government, when the Republican Party has provided revenue without depression, is inexcusable.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

6. On blankets and flannels, composed wholly or in part of wool, the duty shall be 30 per cent ad valorem: *Provided*, That on flannels composed wholly or in part of wool, valued at above 50 cents per pound, the duty shall be 45 per cent ad valorem.

Mr. HILL. Mr. Chairman, I move to strike out the last word. I have not been present during the debate, being compelled to be away, but it was my wish to get 20 minutes by taking 10 on the last paragraph and 10 on this one. Perhaps I shall not need it, but I should like to call the attention of the chairman of the committee for just a moment and also the attention of members of the committee to these two paragraphs. In paragraph 6 there is a duty of 30 per cent on some flannels and 45 per cent on others. I recognize the justice of that grading, that there should be two or more grades of duty according to the grade of material, but what I want to know, if the gentleman will kindly answer, is why the gentleman did not make a similar grading of duties on cloths in the previous paragraph. Will the gentleman kindly give me that information?

Mr. UNDERWOOD. I will state to the gentleman that the committee, having adopted an ad valorem rate all through the bill that rises and falls with the value of goods, concluded that the ad valorem rate would adjust itself without having to make a specific change.

Mr. HILL. Would it not adjust itself as well in blankets as cloths?

Mr. UNDERWOOD. When it came to blankets, we did not desire to put an ad valorem higher than 30 per cent on blankets, including with blankets the very cheapest class of flannels. On the higher flannels there had to be some adjustment, and we made that adjustment on that line for the purpose of making the higher flannels pay the higher duty and getting that much more revenue.

Mr. HILL. Mr. Chairman, I supposed that would be the answer. There never was a greater fallacy submitted to the American people than just that. Now, let me say that I noticed when I was on the floor before that the statement met with considerable applause that I voted for a free list so far as Canadian reciprocity was concerned. I hold now in my hand a report made by myself to the chairman of the Committee on Ways and Means two years ago recommending an ad valorem duty on wool that should be 40 or 50 per cent, with complete schedules on fabrics based on each duty, and I can give no better statement of my views of what a wool duty should be than is found in that report. I do not believe in a specific duty on wool. I believe that a specific duty on wool in the grease is a fraud and a delusion. I believe it should either be ad valorem or that it should be a specific duty on clean wool, as advocated by the chairman of our committee. So much for that. Now, then, in regard to the answer which the gentleman from Alabama has made, that he thought than an ad valorem duty would adjust itself, I am fully satisfied that he believes that that is correct; but I call his attention to his own report, is-

sued under his own name, on page 10, and I ask the Members of the House who have the report before them to examine it as I take it up.

It gives the cost as far as labor is concerned in 70 establishments in the United States and in a certain number in Great Britain on cotton. It gives also the comparative labor costs on woolen, and then it goes on and it shows that the whole idea of this committee in framing this bill has been founded upon an absolute mistake, and a mistake which was made a few moments ago by the gentleman from Minnesota when he made the statement that if the cost of labor in the United States is 50 per cent and in a foreign country is 25 per cent, a duty of 25 per cent will equalize it. No such thing at all, in any way, shape, or manner. The committee are laboring under the same mistake. Now, then, I will read:

If foreign goods had no labor cost whatever, 27 per cent would have been the maximum average rate required to equalize the labor cost of production at home and abroad.

Now, that is not true. The difference in percentage would have been precisely in the proportion that the total foreign cost was to the total American cost.

Let me illustrate: Suppose the English cost was 50 cents a yard and the American cost \$1 a yard. In this citation the American labor cost is 27 per cent and the English labor cost is nothing. Twenty-seven per cent of a dollar is 27 cents, and nothing on the other side. The percentage of duty required to equalize the difference in labor would be 54 per cent, for the duty is laid against the cost of the foreign fabric.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. Mr. Chairman, I ask for an extension of five minutes.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to proceed for five minutes longer. Is there objection?

Mr. BUCHANAN. Mr. Chairman, I object.

Mr. HILL. Mr. Chairman, is objection made?

The CHAIRMAN. Yes.

Mr. HILL. There will be no more extensions to-day, Mr. Chairman, if objection is made. I have not been here for two weeks, being away because of the advice of my physician.

The Clerk read as follows:

7. On women's and children's dress goods, coat linings, Italian cloths, bunting, and goods of similar description and character, composed wholly or in part of wool, and not specially provided for in this act, the duty shall be 45 per cent ad valorem.

Mr. MANN. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 3, by striking out on lines 1 to 5, the following language:

"On women's and children's dress goods, coat linings, Italian cloths, bunting, and goods of similar description and character, composed wholly or in part of wool, and not specially provided for in this act, the duty shall be 45 per cent ad valorem."

And inserting in lieu thereof the following:

"On women's and children's dress goods, coat linings, Italian cloths, bunting, and goods of similar description and character, composed wholly or in part of wool, and not specially provided for, the duty shall be 40 per cent ad valorem."

Mr. MANN. Mr. Chairman, the amendment I offer is designed to place the same duty upon women's and children's dress goods as it does upon cloths for men's goods. That has already been passed at 40 per cent, and this amendment proposes to make 40 per cent on the cloth used by women and children. It also leaves out the language in this act, "not specially provided for."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the amendment was rejected.

Mr. HILL. Mr. Chairman, I move to strike out the last word.

Take the next illustration: There the American labor cost is 27 per cent and the English is 13½ per cent, and the conclusion drawn is as follows:

Then the rate of duty required to prevent the foreign manufacturer from securing an advantage from cheaper labor would have been 27 per cent as to cotton manufactures, and the American cost, less 13½ per cent, would have been the European cost, or 13½ per cent.

The gentleman from Minnesota [Mr. ANDERSON] made the same mistake which the average man would make unless he had thoroughly analyzed the proposition, namely, that 50 per cent of American cost as against 25 per cent of English cost meant 25 per cent difference. It does not. It is dependent entirely on the respective valuations of the products. Thirteen and one-half per cent of 50 per cent is about 6½ per cent, 27 per cent of a dollar is 27 cents, and the difference is a trifle over 20 cents, so that it requires 40 per cent duty on the for-

eign fabric to equalize the labor alone. Now, you will find that mistake carried all through the report, and you have practically figured the protective feature of this bill by applying the duty to the American cost, whereas it is a well-known fact outside of Congress that the rate of duty is laid upon the foreign product and not upon the American product. I had supposed it was understood so in Congress. If you will turn to page 41 you will find you have made the same mistake. I do not know who drew this report. I do not care. It is absolutely wrong in its mathematics. You there provide, "labor, 25 per cent; material, 60 per cent; interest and depreciation, 7½ per cent; and all other charges, 7½ per cent;" and then the man who drew this report made this wise comment:

The present protection on the cloth before mentioned, equivalent to 78 per cent, is therefore more than three times the labor cost, and almost as much as the entire cost in labor and materials.

There is no truth in that. It is absolutely a mistake. It is 78 per cent applied to one principal; 25 per cent is applied to another. Of course 78 is more than 3 times 25, but on the basis of your own figures 25 per cent of \$1.30, the American cost, is 34½ cents, and 78 per cent on your 77 cents, which is the English cost, is nowhere near twice, to say nothing about three times, as much.

Now, reading this over as I sat on my piazza during the last week, I wondered to myself how I could show to this House of Representatives that the application of an ad valorem duty, which I believe in, on textiles—do not misunderstand me—how the application of an ungraded ad valorem duty would utterly fail to compensate for the difference in the cost of production; and if my friend from Illinois would pardon me and give me five minutes, I would like to show to this House the absolute failure of the single ad valorem proposition submitted in this bill by a practical illustration, which I think would be exceedingly interesting.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. I shall speak further, then, on the next amendment.

The CHAIRMAN. The Clerk will read.

Mr. MURDOCK. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by adding, after the words "ad valorem," in line 5, page 3, the following:

"Provided, That all worsted dress goods, cashmeres, serge, and other worsted goods for women's and children's wear, and all worsted filling dress goods, delaines, cashmeres, serges, mohairs, and alpacas, and other stuffs for women's and children's wear, shall be admitted free of duty."

Mr. MURDOCK. Mr. Chairman, this amendment covers all the dress goods for women's and children's wear which are of worsted. They are in large measure produced by a trust, and I wish to read in my time the platform of the Democratic Party adopted at its last national convention as it relates to the matter of trust-controlled products. The platform on the tariff is as follows:

We welcome the belated promise of tariff reform now offered by the Republican Party as a tardy recognition of the righteousness of the Democratic position on this question; but the people can not safely intrust the execution of this important work to a party which is so deeply obligated to the highly protected interests as is the Republican Party. We call attention to the significant fact that the promised relief is postponed until after the coming election—an election to succeed in which the Republican Party must have that same support from the beneficiaries of the high protective tariff as it has always heretofore received from them; and to the further fact that during years of uninterrupted power no action whatever has been taken by the Republican Congress as to correct the admittedly existing tariff inequities.

We favor immediate revision of the tariff by the reduction of import duties.

This bill does that. Then the platform proceeds:

Articles entering into competition with trust-controlled products should be placed upon the free list; material reductions should be made in the tariff upon the necessities of life, especially upon articles competing with such American manufactures as are sold abroad more cheaply than at home; and gradual reductions should be made in such other schedules as may be necessary to restore the tariff to a revenue basis.

Now, I want to say, Mr. Chairman, that the President of the United States is on record, and, so far as I know, no one has successfully refuted his allegation that there is a combination in this country between all the wool interests, both on its manufacturing side and on its producing side, so great that it is able in an American Congress to defeat remedial legislation.

Now, every man here who has had any service in this or any other Congress knows that you have in this bill minimum duties. So far as practical legislation ultimately is concerned, every man knows that if this bill by any manner of chance should get through the other body of Congress, all these duties would go out, and every man knows that in conference, before any wool bill can pass, by reason of the pressure which was

mentioned by the President of the United States, the pressure of great interests, the duties in this bill will be increased; the duties will not remain at their minimum, but will go higher. Every man who has helped frame this bill will tell you that now you have a Woolen Trust in the United States.

You have resolutions before your Rules Committee to investigate that trust. You have refused to do it. You are investigating the sugar company and the steel company. Why not investigate the American Woolen Co.? You are placing upon trust-controlled articles a protective duty, not a revenue duty, in obedience to caucus dictation and in violation of your platform pledge.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. Mr. Chairman, I should like to show how utterly ineffective an ungraded ad valorem duty would be in protecting American labor, and I will ask my friend, the gentleman from New York [Mr. HARRISON], or some other gentleman, to come and help me just a minute while I unfold and show to the House what is known as an Orenberg shawl. There you see is a fabric almost as filmy as a spider's web. It was bought in Moscow at a Government depot for the sale of the products of peasant industries. It cost \$32 after the duty had been paid. It weighs 3 ounces. You will see that there are about 8 square yards of it. Peasant labor is paid \$27 to \$50 a year in Russia. And I am told that it required nearly a year's labor to select the fibers of wool and make the fabric. It was made by Russian peasants. It was bought at cost. There are 3 ounces of wool, which in that form would cost \$100 to \$150 in the United States. I paid \$32 for it—\$20 for the shawl itself and 60 per cent duty—and your single ad valorem duty is utterly ineffective both for revenue and for protection as well. You have figured, all the way through your report practically, that the protective feature of the bill was to be found by applying the duty to the American cost; and when your experts have said in your report that 27 per cent of American labor cost would be equalized by making a duty of 13½ per cent on the foreign product you are absolutely mistaken. It would take 40 per cent in the case cited, and it would take at least 400 per cent to do it on the shawl. It shows the fallacy of the straight ad valorem as a protective duty. You have recognized this with reference to flannels; why not on cloths, which are far more important and with a much greater variety of fabrics?

Mr. BORLAND. Does the gentleman yield for a question?

Mr. HILL. I will, if I have time.

Mr. BORLAND. It is a very brief question. Does the gentleman claim that shawl is an article of necessity?

Mr. HILL. Not at all; and all the more reason why you should make your duties graduated, instead of levying a single duty as you propose. [Applause on the Republican side.] I suppose there are only half a dozen of those in this country. I bought it as a curio, not because I could afford it; but the person who buys that as an article of luxury ought to be made to pay a big duty on it, at least 100 or 150 per cent.

Now here is a skein of cotton thread, so fine that you can hardly pick out one single thread. Yet that is made by doubling and twisting two threads, No. 400. You can not make that in the United States under any duty that you have imposed, because American labor is not able to compete. This is No. 200 thread, doubled and twisted, and I think the finest we make is No. 60. You are all wrong in your wool proposition.

Mr. GUDGER. Is the gentleman complaining at the low duty he paid on that shawl?

Mr. HILL. I am.

Mr. GUDGER. Which party levied that duty, the Republican Party or the Democratic Party?

Mr. HILL. I am complaining because for some mysterious reason, unknown to me, you have recognized the principle in your flannel schedule, but have not recognized it in your cloth schedule.

Mr. GUDGER. But your party levied the duty that you complain of. [Applause on the Democratic side.]

Mr. HILL. I ask why you did not recognize the principle in your cloth schedule? If there is any justification for recognizing it in the flannel schedule there is far more justification for recognizing it in the cloth schedule. It simply shows that this bill is the work of amateurs, that is all there is to it. [Applause on the Republican side.]

Mr. MANN. There is no doubt about that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. MURDOCK].

The question being taken, the amendment was rejected.

The Clerk proceeded with and completed the reading of the bill, the last section of which is as follows:

Sec. 3. That all acts and parts of acts in conflict with the provisions of this act be, and the same are hereby, repealed; but this section shall not take effect until the 1st day of January, 1912.

Mr. MANN. Mr. Chairman, I offer the following amendment. The Clerk read as follows:

Amend page 6 by striking out all after the word "repealed," in line 5, and inserting in lieu thereof the following: "This act shall take effect and be in force on and after the 1st day of January, 1912."

Mr. MANN. Mr. Chairman, the bill now provides in section 3 a repealing clause, and then says in the same section, "this section shall not take effect until January 1 next." I propose to strike out that language, "this section shall not take effect until January 1 next," and insert a provision that this act shall take effect and be in force from and after the 1st day of January, 1912.

Mr. UNDERWOOD. Mr. Chairman, I accept the gentleman's amendment. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

Mr. UNDERWOOD. Mr. Chairman, I move that the committee do now rise and report the bill to the House, with the amendment that has just been adopted, with the recommendation that the amendment be agreed to and that the bill as amended do pass. [Applause on the Democratic side.]

The motion was agreed to.

Accordingly the committee rose, and the Speaker having resumed the chair, Mr. SULZER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11019, a bill to reduce the duties on wool and the manufactures of wool, and had directed him to report the same to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. UNDERWOOD. Mr. Speaker, I move the previous question on the bill and amendment to its final passage.

The motion was agreed to.

The SPEAKER. The question now is on the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The question was taken, and the bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. PAYNE. Mr. Speaker, I offer the following motion to recommit with instructions.

The Clerk read as follows:

Mr. PAYNE moves to recommit the bill H. R. 11019 to the Committee on Ways and Means, with instructions to that committee to hold the bill in the committee until the Tariff Board makes report to Congress, not later than the first Monday in December next, of the information secured by the special and complete investigation now being made by said Tariff Board in regard to the production, manufacture, use, and consumption of wool and woolen goods, and especially covering every element of the cost of production, as required by the act of Congress approved March 4, 1911, and to report said bill back to the House with such provisions and amendments as the committee may deem proper after examination and consideration of the information so reported by the Tariff Board, said report by the committee on the bill to be made to the House not later than the 10th day of January, 1912.

Mr. UNDERWOOD. Mr. Speaker, I move the previous question on the motion to recommit with instructions.

The previous question was ordered.

The SPEAKER. The question is now on the motion to recommit.

Mr. PAYNE. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 118, nays 197, answered "present" 6, not voting 68, as follows:

YEAS—118.

Akin, N. Y.	Focht	Longworth	Prouty
Ames	Fordney	McCall	Rees
Anderson, Minn.	Foss	McCreary	Reynolds
Anthony	Francis	McGuire, Okla.	Roberts, Mass.
Austin	French	McKenzie	Roberts, Nev.
Barchfeld	Gardner, Mass.	McKinley	Rodenberg
Bartholdt	Gardner, N. J.	McKinney	Sells
Bowman	Gillett	McLaughlin	Simmons
Bradley	Good	McMoran	Slemp
Burke, S. Dak.	Griest	Madden	Sloan
Butler	Guernsey	Madison	Smith, J. M. C.
Calder	Harris	Malby	Smith, Saml. W.
Campbell	Hartman	Mann	Speer
Cannon	Haugen	Matthews	Stephens, Cal.
Catlin	Heald	Miller	Stevens, Minn.
Cooper	Helgesen	Mondell	Sulloway
Copley	Henry, Conn.	Moon, Pa.	Switzer
Crago	Higgins	Moore, Pa.	Taylor, Ohio
Currier	Hill	Morse, Wis.	Thistlewood
Dalzell	Howell	Mott	Towner
Danforth	Howland	Needham	Utter
Davis, Minn.	Humphrey, Wash.	Nelson	Wedemeyer
De Forest	Jackson	Norris	Wilder
Dodds	Kahn	Olmsted	Willis
Draper	Kendall	Patton, Pa.	Wilson, Ill.
Driscoll, M. E.	Kennedy	Payne	Wood, N. J.
Dwight	Kopp	Pickett	Young, Kans.
Dyer	La Follette	Plumley	Young, Mich.
Esch	Lawrence	Porter	
Farr	Lenroot	Pray	

NAYS—197.

Adair	Dies	Johnson, Ky.	Robinson
Adamson	Difenderfer	Johnson, S. C.	Roddenberry
Aiken, S. C.	Dixon, Ind.	Jones	Rothermel
Alexander	Donohoe	Kent	Rouse
Allen	Doremus	Kindred	Rubey
Anderson, Ohio	Doughton	Kinkead, N. J.	Rucker, Colo.
Ansberry	Driscoll, D. A.	Kitchin	Rucker, Mo.
Ashbrook	Dupre	Konig	Russell
Ayres	Ellerbe	Konop	Sabath
Barnhart	Estopinal	Korbly	Scully
Bartlett	Evans	Lafferty	Shackelford
Bathrick	Faison	Lamb	Sharp
Beall, Tex.	Fields	Lee, Pa.	Sheppard
Bell, Ga.	Finley	Lever	Sherley
Berger	Fitzgerald	Lewis	Sims
Blackmon	Floyd, Ark.	Lindbergh	Sisson
Boehne	Foster, Ill.	Linthicum	Slayden
Booher	Fowler	Littlepage	Smith, N. Y.
Borland	Gallagher	Lloyd	Smith, Tex.
Brantley	Garner	Lobeck	Stanley
Broussard	Garrett	McCoy	Stedman
Brown	George	McGillicuddy	Steenerson
Buchanan	Godwin, N. C.	McHenry	Stephens, Miss.
Bulkley	Goeke	Macon	Stephens, Tex.
Burke, Wis.	Goldfogle	Maguire, Nebr.	Stone
Burleson	Goodwin, Ark.	Maher	Sulzer
Burnett	Graham	Martin, Colo.	Talbott, Md.
Byrnes, S. C.	Gray	Mays	Talcott, N. Y.
Byrns, Tenn.	Gregg, Pa.	Morrison	Thayer
Callaway	Gregg, Tex.	Moss, Ind.	Thomas
Candler	Gudger	Murdock	Townsend
Cantrill	Hamill	Murray	Tribble
Carlin	Hamilton, W. Va.	Oldfield	Turnbull
Carter	Hamlin	O'Shaunessy	Tuttle
Claypool	Hardwick	Padgett	Underwood
Clayton	Hardy	Page	Volstead
Cline	Harrison, Miss.	Palmer	Watkins
Collier	Harrison, N. Y.	Patten, N. Y.	Webb
Connell	Hefflin	Pepper	Whitacre
Conry	Helm	Peters	White
Cox, Ind.	Hensley	Post	Wickliffe
Cox, Ohio	Hobson	Pou	Wilson, N. Y.
Cullop	Holland	Rainey	Wilson, Pa.
Curley	Houston	Raker	Witherspoon
Daugherty	Howard	Randell, Tex.	Woods, Iowa
Davis, W. Va.	Hughes, Ga.	Ransdell, La.	Young, Tex.
Dent	Hughes, N. J.	Rauch	The Speaker
Denver	Hull	Redfield	
Dickinson	Humphreys, Miss.	Relly	
Dickson, Miss.	Jacoway	Richardson	

ANSWERED "PRESENT"—6.

Davidson	Kinkaid, Nebr.	Loud	Morgan
Hayes	Langham		

NOT VOTING—66.

Andrus	Gordon	Latta	Riordan
Bates	Gould	Lee, Ga.	Saunders
Bingham	Greene	Legare	Sherwood
Burke, Pa.	Hamilton, Mich.	Levy	Small
Cary	Hammond	Lindsay	Sparkman
Clark, Fla.	Hanna	Littleton	Stack
Covington	Hawley	Loudenslager	Sterling
Cravens	Hay	McDermott	Sweet
Crumpacker	Henry, Tex.	Martin, S. Dak.	Taylor, Ala.
Davenport	Hinds	Mitchell	Taylor, Colo.
Edwards	Hubbard	Moon, Tenn.	Tilson
Fairchild	Hughes, W. Va.	Moore, Tex.	Underhill
Flood, Va.	James	Nye	Veeland
Fornes	Kipp	Parran	Warburton
Foster, Vt.	Knowland	Powers	Weeks
Foster	Lafean	Prince	
Glass	Langley	Pujo	

So the motion was rejected.

The Clerk announced the following pairs:

For the session:

Mr. RICHDAN with Mr. ANDRUS.

Until further notice:

Mr. FERRIS (against) with Mr. MORGAN (to recommit), commencing June 6.

Mr. UNDERHILL with Mr. WARBURTON.

Mr. KIPP with Mr. LANGHAM.

Mr. MOORE of Texas with Mr. HAYES.

Mr. GOULD with Mr. HINDS.

Mr. FORNES with Mr. HANNA.

Mr. PUJO with Mr. HUGHES of West Virginia.

Mr. MOON of Tennessee with Mr. LAFEAN.

Mr. CRAVENS with Mr. LOUDENSLAGER.

Mr. LEGARE with Mr. LOUD (transferable).

Mr. SPARKMAN with Mr. DAVIDSON.

Mr. GLASS with Mr. BATES.

Mr. GORDON with Mr. CARY.

Mr. HAMMOND with Mr. CRUMPACKER.

Mr. HENRY of Texas with Mr. PRINCE.

Mr. DAVENPORT with Mr. KNOWLAND.

Mr. LEVY with Mr. FOSTER of Vermont.

Mr. SAUNDERS with Mr. STERLING.

Mr. SHERWOOD with Mr. TILSON.

Mr. TAYLOR of Alabama with Mr. GREENE.

Mr. LINDSAY with Mr. HUBBARD.

Mr. STACK with Mr. MITCHELL.

Mr. HAY with Mr. LANGLEY.

On this vote:

Mr. FLOOD of Virginia with Mr. FAIRCHILD.

Mr. LATTA (against) with Mr. KINKAID of Nebraska (to recommit).

Mr. McDERMOTT (against) with Mr. BINGHAM (to recommit).

Mr. SWEET (against) with Mr. WEEKS (to recommit).

Mr. SMALL (against) with Mr. BURKE of Pennsylvania (to recommit).

Mr. COVINGTON (against) with Mr. PARRAN (to recommit).

Mr. LITTLETON (against) with Mr. VREELAND (to recommit).

Mr. CLARK of Florida (against) with Mr. NYE (to recommit).

Mr. LEE of Georgia (against) with Mr. HAWLEY (to recommit).

Mr. EDWARDS (against) with Mr. MARTIN of South Dakota (to recommit).

Mr. FULLER. Mr. Speaker, I desire to know how I am recorded?

The SPEAKER. The gentleman is not recorded.

Mr. FULLER. I desire to vote "present."

The SPEAKER. Was the gentleman in the Hall listening when his name was called?

Mr. FULLER. I was not.

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. KINKAID of Nebraska. Mr. Speaker, I desire to know if the gentleman from Nebraska, Mr. LATTA, is recorded as voting?

The SPEAKER. He is not recorded.

Mr. KINKAID of Nebraska. I am paired with Mr. LATTA, and I desire to withdraw my vote of "aye" and vote "present."

The SPEAKER. Call the gentleman's name.

The name of Mr. KINKAID of Nebraska was called, and he answered "Present."

The SPEAKER. Call my name.

The name of Mr. CLARK of Missouri was called, and he voted "No."

The result of the vote was announced, as above recorded.

The SPEAKER. The question is, Shall the bill pass?

Mr. UNDERWOOD. On that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 220, nays 100, answered "present" 6, not voting 61, as follows:

YEAS—220.

Adair	Dies	Jacoway	Rees
Adamson	Difenderfer	Johnson, Ky.	Relly
Aiken, S. C.	Dixon, Ind.	Johnson, S. C.	Richardson
Alexander	Donohoe	Jones	Robinson
Allen	Doremus	Kent	Roddenberry
Anderson, Minn.	Doughton	Kindred	Rothermel
Anderson, Ohio	Driscoll, D. A.	Kinkead, N. J.	Rouse
Ansberry	Dupre	Kitchin	Rubey
Anthony	Ellerbe	Konig	Rucker, Colo.
Ashbrook	Estopinal	Konop	Rucker, Mo.
Ayres	Evans	Korbly	Russell
Barnhart	Faison	La Follette	Sabath
Bartlett	Fields	Lamb	Scully
Bathrick	Finley	Lee, Pa.	Shackelford
Beall, Tex.	Fitzgerald	Lever	Sharp
Bell, Ga.	Flood, Va.	Lewis	Sheppard
Berger	Floyd, Ark.	Lindbergh	Sherley
Blackmon	Foster, Ill.	Linthicum	Sims
Boehne	Fowler	Littlepage	Sisson
Booher	French	Lloyd	Slayden
Borland	Gallagher	Lobeck	Sloan
Brantley	Garner	McCoy	Smith, N. Y.
Broussard	Garrett	McGillicuddy	Smith, Tex.
Brown	George	McHenry	Stack
Buchanan	Godwin, N. C.	Macon	Stanley
Bulkley	Goeke	Madison	Stedman
Burke, Wis.	Goldfogle	Maguire, Nebr.	Steenerson
Burleson	Goodwin, Ark.	Maher	Stephens, Cal.
Burnett	Gordon	Martin, Colo.	Stephens, Miss.
Byrnes, S. C.	Graham	Mays	Stephens, Tex.
Byrns, Tenn.	Gray	Miller	Stone
Callaway	Gregg, Pa.	Morrison	Sulzer
Campbell	Gregg, Tex.	Morse, Wis.	Talbott, Md.
Candler	Gudger	Moss, Ind.	Talcott, N. Y.
Cantrill	Hamill	Murdock	Taylor, Colo.
Carlin	Hamilton, W. Va.	Murray	Thayer
Carter	Hamlin	Nelson	Thomas
Claypool	Hardwick	Norris	Townsend
Clayton	Hardy	Oldfield	Tribble
Cline	Harrison, Miss.	O'Shaunessy	Turnbull
Collier	Harrison, N. Y.	Padgett	Tuttle
Connell	Haugen	Page	Underwood
Conry	Hefflin	Palmer	Volstead
Cox, Ind.	Helgesen	Patten, N. Y.	Watkins
Cox, Ohio	Helm	Pepper	Webb
Cullop	Henry, Tex.	Peters	Whitacre
Curley	Hensley	Post	White
Daugherty	Holland	Pou	Wickliffe
Davenport	Houston	Rainey	Wilson, N. Y.
Davis, Minn.	Howard	Raker	Wilson, Pa.
Davis, W. Va.	Hughes, Ga.	Randell, Tex.	Witherspoon
Dent	Hughes, N. J.	Ransdell, La.	Woods, Iowa
Denver	Hull	Rauch	Young, Kans.
Dickinson	Humphreys, Miss.	Redfield	Young, Tex.
Dickson, Miss.	Jackson		The Speaker

NAYS—100.

Akin, N. Y.	Farr	Lafferty	Pray
Ames	Focht	Lawrence	Prouty
Austin	Fordney	Longworth	Reyburn
Barchfeld	Foss	McCall	Roberts, Mass.
Bartholdt	Francis	McCreary	Roberts, Nev.
Bowman	Fuller	McGuire, Okla.	Rodenberg
Bradley	Gardner, Mass.	McKenzie	Sells
Burke, S. Dak.	Gardner, N. J.	McKinley	Simmons
Butler	Gillett	McKinney	Slemp
Calder	Good	McLaughlin	Smith, J. M. C.
Cannon	Griest	McMorran	Smith, Saml. W.
Catlin	Guernsey	Madden	Speer
Cooper	Harris	Malby	Stevens, Minn.
Copley	Hartman	Mann	Sulloway
Crago	Heald	Matthews	Switzer
Currier	Henry, Conn.	Mondell	Taylor, Ohio.
Dalzell	Higgins	Moon, Pa.	Thistlewood
Danforth	Hill	Moore, Pa.	Towner
De Forest	Howell	Mott	Utter
Dodds	Howland	Needham	Wedemeyer
Draper	Humphrey, Wash.	Olmsted	Wilder
Driscoll, M. E.	Kahn	Payne	Willis
Dwight	Kendall	Pickett	Wilson, Ill.
Dyer	Kennedy	Plumley	Wood, N. J.
Esch	Kopp	Porter	Young, Mich.

ANSWERED "PRESENT"—6.

Davidson	Hobson	Langham	Morgan
Hayes	Kinkaid, Nebr.		

NOT VOTING—61.

Andrus	Greene	Legare	Riordan
Bates	Hamilton, Mich.	Levy	Saunders
Bingham	Hammond	Lindsay	Sherwood
Burke, Pa.	Hanna	Littleton	Small
Cary	Hawley	Loud	Sparkman
Clark, Fla.	Hay	Loudenslager	Sterling
Covington	Hinds	McDermott	Sweet
Cravens	Hubbard	Martin, S. Dak.	Taylor, Ala.
Crumpacker	Hughes, W. Va.	Mitchell	Tilson
Edwards	James	Moon, Tenn.	Underhill
Fairchild	Kipp	Nye	Vreeland
Ferris	Knowland	Parran	Warburton
Fornes	Lafan	Patton, Pa.	Weeks
Foster, Vt.	Langley	Powers	
Glass	Latta	Prince	
Gould	Lee, Ga.	Pujo	

So the bill was passed.

The Clerk announced the following additional pairs:

On this vote:

Mr. LEE of Georgia (in favor of woolen bill) with Mr. HAWLEY (against).

Mr. SMALL (for the bill) with Mr. BURKE of Pennsylvania (against).

Mr. LATTI (for the bill) with Mr. KINKAID of Nebraska (against).

Mr. McDERMOTT (for the bill) with Mr. BINGHAM (against).

Mr. JAMES (for the bill) with Mr. HAMILTON of Michigan (against).

Mr. WARBURTON (in favor) with Mr. PATTON of Pennsylvania (against).

Tuesday, June 20, 3 p. m., until Thursday, June 22, 12 m.:

Mr. COVINGTON (for the bill) with Mr. PARRAN (against).

Until further notice:

Mr. HOBSON with Mr. FAIRCHILD.

Mr. LITTLETON (in favor) with Mr. VREELAND (against).

Mr. FERRIS (in favor) with Mr. MORGAN (against).

Mr. EDWARDS (for the bill) with Mr. MARTIN of South Dakota (against).

Mr. SWEET (for the bill) with Mr. WEEKS (against).

Mr. CLARK of Florida (for the bill) with Mr. NYE (against).

Mr. LINDSAY with Mr. CARY.

Mr. UNDERHILL with Mr. KNOWLAND.

Mr. KINKAID of Nebraska. Mr. Speaker, it seems that the gentleman from Nebraska, Mr. LATTI, understood that I paired with him also on the vote on the bill. I did not so understand it, but I am perfectly willing, inasmuch as he so understood it, to abide by that, and I ask to withdraw my vote of "no" and vote "present."

The SPEAKER. Call the gentleman's name.

The name of Mr. KINKAID of Nebraska was called, and he answered "Present."

The SPEAKER. Call my name.

The name of Mr. CLARK of Missouri was called, and he voted "Aye."

The result of the vote was announced as above recorded.

[Loud applause on the Democratic side.]

On motion of Mr. UNDERWOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to—

Mr. PADGETT, for three weeks, on account of important business.

Mr. HAWLEY, for five days, on account of business relating to duties of member of National Forest Reservation Commission.

Mr. TAYLOR of Alabama, indefinitely, on account of important business.

Mr. BROWN, for two weeks, on account of business engagements.

REPORT OF TARIFF BOARD.

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Ways and Means and ordered to be printed. (H. Doc. No. 74):

SCHEDULE K—WOOL.

To the House of Representatives:

On June 7, 1911, your House passed the following resolution:

Resolved, That the President of the United States be, and he is hereby, requested to transmit to the House of Representatives, for the use of the Members thereof, all the information secured and the tables and statistics prepared by the board of experts, composed of Henry C. Emery, James B. Reynolds, Alvin H. Sanders, William M. Howard, and Thomas W. Page, relating to the various articles and commodities named in Schedule K of the act approved August 5, 1909, being "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," and relating to wool and manufactures thereof.

In response thereto, I beg to submit that I transmitted your resolution to the board of experts named therein, who in reply have prepared a statement under date of June 15, which I inclose.

The board says in this statement:

Statistics compiled by us from the latest available form and domestic sources covering the production, distribution, and consumption of raw wools and woolen manufactures, have already been transmitted, on request, to the Ways and Means Committee of the House of Representatives, and some 20 pages of the recent report of that committee to the House are made up from this compilation and duly credited. The board is conducting an inquiry in relation to raw wools—their production and shrinkage—woolen and worsted manufacturing, and into the manufacturing of certain staple articles made from the products of that industry, which involves original research work that is world-wide in its scope. A large amount of material has already been obtained. This, however, will not be of actual practical value until properly checked and tabulated. Our representatives throughout the United States and in foreign countries are now forwarding data. This incomplete information, necessarily fragmentary in character, if transmitted to Congress would be not only of doubtful utility but actually misleading. In making this statement we are not unmindful of the fact that we are under instructions to complete our work upon this and other important schedules at the earliest possible date. We shall develop the essential facts in relation to both the wool and the cotton schedules in time for forwarding to Congress next December, and in this endeavor we are not only working to the limit of the present appropriation but to the utmost capacity of our entire force. In order that the magnitude of the task may be understood, we respectfully present herewith an outline of our procedure.

This language and an examination of the detailed account of what the board is doing contained therein will show that they have no further information than that which has already been transmitted to the Committee on Ways and Means in any form or condition proper for transmission.

The board of experts was first engaged in assisting the Executive in the discharge of his duties under the maximum and minimum clause of the Payne tariff bill. Its attention was then directed to accumulating information for use in connection with the reciprocity agreement made with Canada, and especially the comparative cost of commodities in Canada and in the United States, the price of labor, and particularly farm labor in the two countries, and the cost of producing paper and wood pulp on both sides of the boundary.

The sundry civil appropriation act of last year provided that if a tariff commission or board was established it should report on the wool schedule by the 1st of December. The Tariff Commission bill was lost, but under the discretionary power vested in me I appointed a board as near like the one described in the bill which was lost as possible, a nonpartisan board of five members, and I directed them to make the examination into Schedule K, its meaning, and the cost of production of wool and of woollens in this country and abroad, and to have their report ready by the 1st of December, in accordance with the direction of the appropriation bill to the tariff commission, a direction which passed both Houses of the last Congress.

The board of experts reports to me, as will be seen by this inclosed statement, that they will have a full and complete report on the subject of Schedule K and its contents, the cost of production of wool and woollens at home and abroad, and also upon the same facts in respect to the cotton schedule, by the 1st of December next, when I shall be glad to submit both to the Congress.

Meantime, the board is not in a position to transmit anything except what has already been sent to the Ways and Means Committee.

In order that Congress may more fully understand what the board of experts is engaged in, I transmit, in connection with their statement, a report by a committee of the National Tariff Commission Association, which applied to me for permission

to investigate the methods of procedure of the board of experts and the scope and progress of the work.

Their judgment is shown in the following paragraph:

In conclusion, our committee finds that the Tariff Board is composed of able, impartial, and earnest men, who are devoting their energies unreservedly to the work before them; that the staff has been carefully selected for the work in view, is efficiently organized and directed, and includes a number of exceptionally competent technical experts; that the scale of salaries is reasonable—indeed, very moderate—and that all other expenditures are closely scrutinized and appear to be equally reasonable; that the work of the board, vast and intricate in detail, is already highly organized, well systematized, and running smoothly; and that Congress and the people can now await the completion of that work with entire confidence that it is progressing as rapidly as consistent with proper thoroughness, and that it will amply justify all of the time and expense which it entails. We believe that the value of the work when completed will be so great and so evident as to leave remaining no single doubt as to the expediency of maintaining it as a permanent function of the Government for the benefit of all the people.

THE WHITE HOUSE, June 20, 1911.

WM. H. TAFT.

THE TARIFF BOARD, TREASURY BUILDING,
Washington, June 15, 1911.

The PRESIDENT:

In acknowledging receipt of a copy of the resolution of the House of Representatives calling for all the information in the possession of the Tariff Board relating to Schedule K, we beg to submit the following statement:

Statistics compiled by us from the latest available foreign and domestic sources, covering the production, distribution, and consumption of raw wools and woolen manufactures, have already been transmitted on request to the Ways and Means Committee of the House of Representatives, and some 20 pages of the recent report of that committee to the House are made up from this compilation and duly credited. The board is conducting an inquiry in relation to raw wools—their production and shrinkage—woolen and worsted manufacturing, and into the manufacturing of certain staple articles made from the products of that industry, which involves original research work that is world-wide in its scope.

A large amount of material has already been obtained. This, however, will not be of actual practical value until properly checked and tabulated. Our representatives throughout the United States and in foreign countries are now forwarding data. This incomplete information, necessarily fragmentary in character, if transmitted to Congress would be not only of doubtful utility but actually misleading. In making this statement we are not unmindful of the fact that we are under instructions to complete our work upon this and other important schedules at the earliest possible date. We shall develop the essential facts in relation to both the wool and the cotton schedules in time for forwarding to Congress next December; and in this endeavor we are not only working to the limit of the present appropriation, but to the utmost capacity of our entire force. In order that the magnitude of the task may be understood, we respectfully present herewith an outline of our procedure.

The rates provided by Schedule K in its present form are based largely upon the duty on raw wool. The logical starting point, therefore, for any comprehensive study of the facts underlying the schedule is the sheep husbandry of the United States, South America, Australia, New Zealand, South Africa, and various parts of Europe. The board began, more than a year ago, the consideration of plans designed to cover this wide field of investigation. An original inquiry as to all the conditions surrounding the industry in the great woolgrowing regions of the United States was imperative. It was found that the very inception of the work that the inquiry presented many problems difficult of solution, especially in the matter of determining wool-production costs. Few attempts at ascertaining the exact cost of maintaining sheep under different conditions have ever been made, so far as we have been able to discover, either by individuals, experiment stations, or agricultural departments in this or any other country. Time was necessarily consumed in an effort to formulate the inquiries in such a way as to bring out the data desired.

The first inquiry schedule adopted was printed last November and placed in the hands of representatives chosen for their special knowledge of sheep management, farm and ranch wages, and forage values. They were instructed to visit personally representative flock owners throughout the leading wool-producing sections and obtain first-hand information, to be made the basis of the necessary computations and tabulations.

Woolgrowing in the United States centers largely in the trans-Missouri country, probably two-thirds of the domestic clip coming from the far West. Throughout the Middle Western States wool is for the most part produced as an incident to lamb feeding and mutton making; but in Ohio and the contiguous territory of West Virginia, Pennsylvania, and Michigan there is an established industry having as its chief objective the production of wool of the finer grades. It was believed that production costs for that region could be worked out with reasonable exactness, because in a large proportion of instances the entire farm and its products are devoted chiefly to the maintenance of the flock. The figures in such case are not complicated by expense items chargeable to other production. Typical counties in this territory were covered by our representatives.

Some 500 different farms were visited, and the returns thus obtained are being carefully checked and tabulated, the cost of maintenance determined, the weight and selling price of the clip ascertained, the cost in each case computed, and samples of the wool submitted to an expert to determine its market grade and its probable shrinkage. One of these agents also studied the situation in the Province of Ontario. Meantime the board's representatives were sent into the Southwest with new schedules specially adapted to conditions prevailing in that part of the country. They have already covered Texas, New Mexico, Arizona, Nevada, California, Utah, Colorado, Oregon, and Washington, and are now entering Idaho, Montana, and Wyoming. They are under instructions to push the work with all possible dispatch consistent with accuracy. It has been found desirable to utilize, as far as possible, the same agents throughout the entire territory to be covered. These representatives are now nearing the end of their study of woolgrowing in the western part of the United States. Considerable time, however, will necessarily be required in checking carefully the

mass of figures being accumulated. Not until this is completed will it be possible for the board to analyze and interpret the information, statistical and otherwise, being received from so many different sources.

Concurrently with this work, foreign fields have also been under investigation by special agents of the board. One of these agents proceeded to Australia last October, has recently returned, and is now perfecting his report in London, England, a great distributing point for the Australian wools. A similar report from New Zealand, representing the work of a special agent in that country, is nearing completion. In February a special agent of the board was sent to South America, proceeding direct to Punta Arenas. He is now nearing the end of an investigation, attended by many difficulties, throughout the vast domain extending from the Straits of Magellan to Montevideo. His report will include valuable facts and figures from remote woolgrowing regions seldom, if ever before, visited by students of this question. He is also under instructions to report upon wheat production in Argentina, as well as upon the meat-export possibilities of that country. The latter subject is of especial interest at this time in view of pending proposals to open our ports for the free entry of meat products. This agent is expected back about August 1. It should be stated that a large proportion of all these reports are accompanied by samples of the wool produced, together with selling prices and estimated shrinkages.

The board is making careful inquiry into the whole question of shrinkages in both domestic and foreign markets. A member of the board has been in recent attendance upon the colonial auction sales of wool in London and will also visit continental ports where foreign wools are handled. Experts are under instructions to obtain the fullest possible data as to the ratio of scoured to grease wool in various clips, as determined by the experience of leading makers of "tops" and yarns at home and abroad. Agents of the board are also obtaining information concerning wool wastes and shoddy in their relation to the spinning and weaving processes.

The matter of rail and ocean freights on raw wools is of importance and is receiving our attention.

The work of the board in connection with woolen and worsted manufactures deals with four elements of this question: First, cloth of domestic manufacture; second, cloth of foreign manufacture imported into the United States; third, cloth of foreign manufacture not coming into the United States; fourth, efficiency of labor and of mill equipment.

The inquiry into this first section is an investigation of the cost of production here of staple cloths of American manufacture and the production cost of similar cloths made abroad. This embraces the complete range of woolen and worsted fabrics in general use at the present time in the United States. The great variety of fabrics manufactured by various mills makes it necessary that only those cloths shall be taken for inquiry which are staple and are representative of the industry in its different branches.

A careful study was made of this question and a large number of specimen cloths were secured by the board to cover this entire range, equally divided between the men's wear and women's dress goods, and ranging in grade and price from the lowest to the highest. The board is securing the actual cost of production of these cloths from the mill where each fabric was made, this being taken directly from the books of the manufacturer.

An extensive part of this work is the collection of verified estimates of cost of these goods in different mills of the United States. All of the specimen cloths have been analyzed, and samples are being taken to manufacturers, with a descriptive card attached, giving the width, weight, number of picks, number of ends, the different yarns that go to make up the fabric, and their size and quality. The purpose of the board in this part of the inquiry is to ascertain the cost of making these cloths, not only in different parts of the country, but in mills which vary in size, equipment, and output. Agents of the board take these samples to different manufacturers, and with their representative figure out the cost of production of such goods in their mills. This accounting is done upon schedules which go into every detail of manufacture, from the original stock to the finished cloth. It takes up each process separately, from the sorting and blending of the wool to the finishing of the cloth. In every process it goes into the elements of productive labor, nonproductive labor, and department expense, and it secures every item and detail entering into the making of the fabric.

By these schedules is also obtained the yearly general expense of each mill, together with every detail of works expense and fixed charges, and all such items as taxes and depreciation. All of this cost accounting is based upon identical fabrics, bearing identical analyses, and is being secured from mills that make identical or similar fabrics. Samples of these same cloths have been sent abroad, and similar production costs are being secured there by our agents under the personal supervision of a member of the board.

Cloths of foreign manufacture are being treated in a similar way, and information secured as to what would be the cost of such fabrics if manufactured in the United States. Typical cloths have been secured by personal visits of a member of the board to foreign manufacturers, and these are being used as the basis of this part of the inquiry. A special feature of the investigation is the question of what, if any, cloths are now excluded from the United States. From foreign manufacturers have been obtained sample cloths, which they assert they can not export to this country because of prohibitive tariff rates. The board is conducting a careful inquiry as to whether or not such goods do come here, and also as to the price of similar goods made in the United States. This latter question will be gone into thoroughly, to ascertain the effect upon the American consumer of any nonimportation of such cloths.

The fourth element is the entire question of labor, hours of labor, and efficiency of labor, and equipment. Agents of the board are now at work along this line in this country and in England, Germany, and France. They are using the same schedules in all four countries in order that the whole matter of efficiency may be properly determined and the results obtained be comparable.

These schedules provide for the securing of all details of mill manufacture in this industry. They call for particulars in regard to the persons employed in each and every occupation in worsted and woolen manufacture, the machine equipment, its nature, age, and efficiency, the amount of work done by each employee, together with hours of work, amount earned, and output produced.

The board is also engaged in conducting an investigation into the production cost of articles made from woolen and worsted cloth to ascertain the details and cost of the manufacture of garments for men and women. An inquiry is also being planned into the production cost of woolen blankets, and this will embrace such manufacture in the different sections of the country.

In addition to this, a complete glossary of Schedules I and K will be ready for submission in December. This will include all the latest statistical information available, definitions of terms used, ad valorem equivalents of existing duties, brief presentation of the commercial geography of the industries involved, and concise descriptions of manufacturing processes. It will be accompanied by graphic charts and the completed results of the board's own research work, covering both the cotton and the woolen schedules.

Respectfully submitted.

ALVIN H. SANDERS, *Vice Chairman.*

THE NATIONAL TARIFF COMMISSION ASSOCIATION,
New York, June 14, 1911.

MR. JOHN CANDLER COBB,
President the National Tariff Commission Association.

DEAR SIR: Under the permission given at your request by President Taft, in his letter to you of May 4, 1911, the committee of our association selected to investigate and report on the organization, methods, and work of the Tariff Board submits the subjoined report.

The President's action was predicated on the concurrence of the Tariff Board, whose chairman, in a letter to the President dated May 2, 1911, wrote:

"I beg to say that the Tariff Board are unanimous in welcoming this proposal, and that we shall be very glad indeed to have a committee of the National Tariff Commission Association make a thorough examination of our work and to offer them every facility for doing so."

Five members of our committee went to Washington in order personally to investigate the organization and work of the Tariff Board, with which most of them were previously more or less familiar, and devoted much additional time to reviewing the information thus obtained and in reaching conclusions thereon. We undertook the investigation with open minds, without previous commitment or prejudice, either for or against the Tariff Board and its methods. Our effort throughout was to ascertain facts. The conclusions reached represent the unanimous judgment of the committee.

Our investigation was so thorough and the information gathered so voluminous that our record of the results is necessarily somewhat extensive. To facilitate its use we have divided it into two parts, namely, the report, which summarizes the essential facts and states our conclusions thereon, and a supplement, which contains a historical review of the Tariff Board and gives the detailed information on which our conclusions are based. Those who desire a full understanding of the matter should read both papers.

The committee desires to record its appreciation of the cordial co-operation and assistance given to it throughout by each and all of the members of the Tariff Board. Unlimited opportunity was afforded us in our investigations of the work and methods of the board, the organization of the staff, the rates of salaries paid, and the kind and amount of all other expenses incurred. Every inquiry by us was responded to unreservedly and satisfactorily. We are justified, therefore, in stating that our conclusions are based upon a full and intelligent understanding of the facts.

Respectfully,

HENRY R. TOWNE, *Chairman,*
President Merchants' Association of New York.

JOHN KIRBY, JR.,

President National Association of Manufacturers.

CHARLES M. JARVIS,

Vice President National Association of Manufacturers.

H. E. MILES,

Ex-President National Association of Implement and Vehicle Manufacturers.

J. J. CULBERTSON,

President Southern Cotton Seed Crushers' Association.

FRANCIS T. SIMMONS,

Member Executive Council, Chicago Association of Commerce.

THE NATIONAL TARIFF COMMISSION ASSOCIATION REPORT.

1. Organization of the Tariff Board: The Tariff Board was created in September, 1909, and under the instructions of President Taft devoted itself exclusively to work relating to the application of the maximum and minimum tariff rates in our treaties with foreign countries until April 1, 1910. For reasons explained in the supplement the board was not organized for its permanent work until October 1, 1910. All that has been accomplished in investigations, statistical work, and reports has been done since the latter date.

Our committee was favorably impressed with the character, ability, and fitness of the members of the Tariff Board appointed by President Taft. We think it fortunate that the country has been able to secure for service in this new and untried field five men who, on the whole, are so well equipped for their duties, so impartial and able in so short a time to organize the work on an effective basis. In this connection it is important to keep in mind the fact that the functions of the Tariff Board are administrative and judicial; that its members were not selected as technical experts in any one field of industry; that the work of technical investigation will be done by many experts employed for this purpose by the board; and that the highest function of the board will consist in weighing the evidence thus gathered, in reaching sound conclusions thereon, and in embodying all essential facts in its reports. In this respect the board acts as a court of first instance to review the evidence gathered by its experts and to pass judgment thereon. It thus fulfills the functions of a commission appointed by a court of justice to make findings of fact for the information of the court. Briefly, the motto of the board might be "to furnish facts, not opinions." Congress is and will remain the court of final judgment, which will receive the findings of the Tariff Board and take such action thereon, if any, as in the judgment of Congress may appear to be necessary or expedient.

The view has been expressed that each member of the board should be an expert in some one field, the investigation of which would be referred to him, and that the board should consist of 15, 20, or even 30 members; but reflection will show that under this plan there would be no unity or cooperation in the work, that in effect the report on each subject would be by a subcommittee, and that the final result would be a series of unrelated and possibly discrepant conclusions and reports. The plan actually adopted wisely avoids this danger by making the whole board a reviewing body to pass judgment upon the voluminous facts gathered and submitted by the experts employed for this part of the work, all five members of the board thus participating in every conclusion reached and judgment rendered. Thus far the final decisions of the board have in every case been unanimous.

2. The staff: For the technical investigation which the work involves the board utilizes the services of trained experts, carefully selected with reference to their ability and past experience in each line of investigation taken up, and the experience thus far indicates that men possessing the requisite experience, skill, and knowledge can be secured on fair terms. Members of our committee passed in review every important employee of the board (except those absent on field work), investigated their duties, ascertained the salaries paid, and thus informed themselves generally concerning the business organization and methods thus far developed. The resulting impression was unexpectedly satisfactory and fully justifies the statement that the administration of the work of the Tariff Board is on a sound, economical, and businesslike basis, which does credit to the members of the board and demonstrates conclusively their fitness to perform the executive function which their duties involve. Their equal fitness to perform intelligently and impartially the judicial function, which constitutes the other and greater part of their duty, may be judged from the two reports which they have thus far rendered and which are referred to in detail in the supplement.

The development of the staff is shown in detail in the supplement, but is summarized in the following table, which shows the total number of employees of all kinds on the several dates mentioned, viz:

Apr. 1, 1910, at completion of work on maximum and minimum schedules.....	12
Oct. 1, 1910, permanent work fairly organized.....	25
Jan. 15, 1911.....	70
May 15, 1911.....	80

The present staff is as large as justified by the present annual appropriation, a considerable part of which is absorbed by other expenses incident to the work. The present organization appears to be large enough for efficiency and good economy, but if more rapid progress is desired it would seem feasible for the board to accomplish it, in case Congress should see fit, for this purpose, temporarily to increase the appropriation.

3. Scope and progress of work: Our committee, although previously familiar with the subject, was deeply impressed by the immense complexity and scope of the work which the Tariff Board has undertaken, and also by the progress already made in creating an organization for its effective conduct, and by the volume of work accomplished in the past eight months, or since October 1, 1910, when the board was first effectively organized. The actual achievement during this short period justifies the prediction that the work on other important schedules can be completed in similar periods or less, and on the simpler schedules in proportionately shorter time. If Congress should deem it desirable that work on all of the schedules should be conducted coincidentally, and should make the additional appropriation thus implied, the Tariff Board undoubtedly could arrange accordingly and thus accelerate the completion of work on all the schedules. When the initial work thus implied has once been completed, the continuing work of keeping it revised and corrected to date will be relatively easy and simple.

The situation at this date may be summarized as follows, viz:

The tariff includes 14 schedules, lettered from A to N, inclusive. "Glossary work" has been started as to 12 of these schedules, is well advanced, and probably will be nearly completed by the close of this year.

"Field work" has been started as to 4 schedules, on which it is planned to consolidate until these are completed, whereupon work on others will be begun. The schedules referred to are K (wool and woolsens), A (chemicals), N (paper and pulp), and I (cotton manufactures).

With the present appropriation of \$250,000 per annum, it seems probable that all of the work of original research, covering all of the 14 tariff schedules, will be completed within three years or a little more—say, by December 1, 1914. When the original work has thus been completed, the labor and cost of keeping it closely corrected to date will be relatively small.

4. Coercive powers: The Tariff Board at present has no power to compel the giving of testimony, and thus far has found no need for such authority. The manufacturers who have been approached thus far have given the board, voluntarily, free access to their books and records and cordial cooperation in ascertaining and verifying all facts pertinent to the inquiry in hand. Tenders of similar cooperation from producers in other lines are being received, with every indication that the experience above referred to will be repeated with each new industry as it is taken up. These facts are a credit to American manufacturers and justify the belief that they do not shun investigations of this kind, that they ask no unfair favors, and that they desire that future tariff schedules shall be framed with knowledge of all the facts and with fair regard for the interests of all the people. All interested in or affected by the tariff should welcome the creation of an impartial and competent tribunal for this purpose.

While the board thus far has found no need for coercive power in the procurement of evidence, we regard it as desirable that the board should have conferred upon it the qualified power in this respect contemplated in the bill making permanent the organization of the board, which was favorably considered by each House of the last Congress.

5. Reports: The board has already filed two reports (1) on "Canadian reciprocity," and (2) on "Pulp and news-print paper." It proposes in each future report to cover one, or possibly several, schedules, until all of these have been completed. Obviously it can not and should not report concerning any schedule until its investigations relating thereto have substantially been completed, for until then the members of the board are not in position to pass in review the completed work of the experts, and to make final report thereon. To ask the board to report before the completion of the investigations on which its report must be based would be equivalent to asking a court of justice to render a verdict upon a case before it after hearing only a fraction of the available and essential evidence.

Our committee is satisfied that the board is working with great diligence and with as great rapidity as thus far has been consistent with thoroughness and sound results, but, under a larger appropriation, as pointed out elsewhere, the work could now be considerably accelerated if Congress so desires. In this connection the chairman of the board has recently made the following statement, with which we concur, viz:

"It would be inconsistent to expect of any such body that it should adopt the new standard of thoroughness demanded of it and yet be prepared to make a complete and carefully matured report on any subject at a moment's notice. Such investigations are arduous and involve the collection of a vast amount of data from many parts of the world, and when these data are received they require careful tabulation and analysis before they can be scheduled properly for a report."

"On the other hand, a tariff board should confine itself within the field of the practical and realize that with due diligence promptness may be combined with accuracy. Furthermore, as such work progresses it may be pushed with increasing rapidity as the machinery of investigation which had to be created anew for the first inquiries is available and in improved working order for each new task."

Commenting on one of the issued reports an official of the Royal Imperial Ministry of Commerce of Austria, regarded in Europe as a leading authority on tariff questions, says:

"The report is excellent and in line with the latest theory, and I know of no European publication which so correctly interprets the most important features of the question of commercial policy as does your report on the paper industry. This is a very good beginning, and I already see that you will soon leave all the European government departments far behind in the publication of model reports on questions of commercial policy. This report will attract great attention in Europe."

Referring to the same report the president of the American Paper & Pulp Association, which, through its officers, gave willing and valuable aid to the board, has asked for 800 copies of the report, and says: "I consider it a most valuable book, which should be in the possession of every manufacturer."

The observations of our committee confirm and justify these favorable comments. We believe that the reports of the Tariff Board, as they are issued, will prove to be of great value not only to Congress and the executive departments of the Government, but also to American producers in all fields of industry, collectively and individually. We predict that this opinion will be indorsed by the latter as rapidly as they have opportunity to receive and study the reports relating to their respective lines of industry.

At present the Tariff Board exists only by Executive order, and therefore its reports are addressed to the President through the Secretary of the Treasury. It is earnestly to be hoped that at an early date Congress will enact a law making the Tariff Board a permanent part of the machinery of the Federal Government, and in so doing Congress presumably will make provision whereby the board shall, on request, report directly to Congress, or to either House thereof, concerning any matter within its field of investigation and concerning which its work has been completed or is sufficiently advanced to enable it to respond to such a call.

6. Expenditures and appropriations: Congress appropriated \$75,000 for the use of the President in securing information in the manner authorized in article 718, section 2, of the Payne-Aldrich bill, of which over \$25,000 was unexpended on June 30, 1910. The net expenditure of the Tariff Board up to the latter date was thus under \$50,000.

Congress next appropriated the sum of \$250,000 for the expenses of the Tariff Board during the fiscal year commencing July 1, 1910. It is estimated that about \$50,000 of this will be unexpended on June 30, 1911. The net expenditure for the fiscal year will thus be within \$200,000.

The total expenditures from the beginning to July 1, 1911, will thus be within \$250,000.

As the work of the board is now organized (June, 1911), the expenditure involved is at a rate about equivalent to the present appropriation. As a similar appropriation exists for the next fiscal year, it will thus suffice for the continuance of the work at the present rate.

In conclusion, our committee finds that the Tariff Board is composed of able, impartial, and earnest men who are devoting their energies unreservedly to the work before them; that the staff has been carefully selected for the work in view, is efficiently organized and directed, and includes a number of exceptionally competent technical experts; that the scale of salaries is reasonable, indeed very moderate, and that all other expenditures are closely scrutinized and appear to be equally reasonable; that the work of the board, vast and intricate in detail, is already highly organized, well systematized, and running smoothly; and that Congress and the people can now await the completion of that work with entire confidence that it is progressing as rapidly as consistent with proper thoroughness, and that it will amply justify all of the time and expense which it entails. We believe that the value of the work when completed will be so great and so evident as to leave remaining no single doubt as to the expediency of maintaining it as a permanent function of the Government for the benefit of all the people.

SUPPLEMENT.

The tariff act of August 5, 1909, commonly known as the Payne-Aldrich bill, contains in article 718, section 2, the following provision: "To secure information to assist the President in the discharge of the duties imposed upon him by this section—that is, relating to the application of the maximum and minimum rates—and the officers of the Government in the administration of the customs laws, the President is hereby authorized to employ such persons as may be required."

Under the authority thus given, the President, by a letter dated September 14, 1909, appointed three persons to assist him in the manner contemplated by the act, and designated them as constituting the Tariff Board. The persons so appointed were: Prof. Henry C. Emery (chairman), professor of political economy in Yale University; Alvin H. Sanders, editor of the *Breeders' Gazette* (a leading agricultural journal), and for 30 years a student and writer on agricultural subjects; James B. Reynolds, Assistant Secretary of the Treasury, and for some four years previous in charge of customs.

The members of the board met for the first time September 24, 1909, and at this meeting issued a letter to importers concerning the application of the maximum and minimum provisions of the new tariff law. About October 15 the board received instructions from the President, through the Secretary of the Treasury, to proceed to investigate and report concerning the application of article 718, section 2, of the tariff act to our treaties with foreign nations, and to assist the Department of State in conducting the negotiations relating thereto, the instructions stating that, when this work was completed, the Tariff Board should then apply itself to ascertaining the costs of production, at home and abroad, of all articles covered by the tariff schedules.

The work relating to the application of the "maximum and minimum" provisions of the tariff act involved an exhaustive investigation of all commercial treaties with all nations, and the provisions of the act required that this work must be completed by April 1, 1910. The work thus involved occupied the Tariff Board exclusively until that date, by which time it had successfully been completed. It involved the analysis of the tariffs of every other country, most of them expressed in foreign languages, measures, and values. The negotiations conducted by the State Department, with the assistance of the Tariff Board as to technical matters, were of vast importance to the commerce and industry of the country. They removed all undue discriminations against the United States without resort to reprisals by the application of the maximum tariff rates, and resulted in many tariff concessions from other countries which we had never before

enjoyed. The benefits thus secured were vast and lasting, thus saving the country from tariff wars, and they were well worth all they cost in time and money. And yet some persons, not appreciating these facts, and ignoring the order of the President that the Tariff Board should devote itself exclusively to this work and complete it before beginning its investigation of "costs," criticized and condemned the board because it had not, forthwith upon its creation, applied itself to the latter work. On April 1, 1910, when the board had thus completed the work first assigned to it, its employees were 12 in number.

For the work assigned to the Tariff Board, Congress appropriated the sum of \$75,000 for the fiscal year ending June 30, 1910, of which on the latter date \$25,795.80 was turned back into the Treasury unexpended.

Upon the completion of its initial work, April 1, 1910, the Tariff Board was unable to formulate its further plans by reason of the fact that no appropriation existed for the continuance of its work after June 30, 1910. By an act passed June 25, 1910, Congress appropriated the sum of \$250,000 for the expenses of the Tariff Board during the fiscal year commencing July 1, 1910. Anticipating the chronological sequence of events, it may be stated here that the unexpended balance of this appropriation on May 1, 1911, was \$112,004.28 (excluding the April pay roll, due but not paid), and that it is now estimated that the total expenditures for the fiscal year ending June 30, 1911, will not exceed \$200,000, thus leaving \$50,000 of the appropriation unexpended. As the work is now organized, however, the full amount of the present appropriation is needed and is being effectively used.

On May 11, 1910, Prof. Emery went to Europe to lay the foundations for the future work of investigation there and to study European methods of conducting tariff investigations. He spent most of his time in Germany and Austria, with brief visits to London and Paris. He returned July 16.

On June 14 Mr. Reynolds went to Europe in order to utilize his previously acquired experience and acquaintance with the special agents of the Treasury Department and to secure the benefit of their experience and knowledge in matters pertaining to foreign costs of production; also to arrange for securing a full line of samples of certain European products needed in the textile investigation. His trip covered numerous places in France, Italy, Switzerland, and Great Britain. He returned October 1.

During the summer of 1910 Mr. Sanders remained in Washington and devoted his time to finding men qualified to serve on the staff of the Tariff Board. Their selection demanded great care and much investigation. The work proposed was new, serious, wide in scope, highly technical, and its ultimate success depended upon the ability of the board to secure men of the right abilities and experience. That they have been successful in doing so is demonstrated by the facts set forth in the report.

The first definite appointment of a technical expert was made in July, 1910, the position involving charge of the foundation work relating to Schedule K (wool and woolens), which thus was the first schedule to receive attention. In August another appointment was made of a special agent who was sent to Australia to study and report on the wool industry of that country.

On September 6, 1910, Chairman Emery submitted a report to the Secretary of the Treasury giving the results of his European trip and of his investigation of European methods. During this month the "glossary" work was started and the field force organized by the appointment of some 8 or 10 picked men.

The "glossary" work above referred to had its origin in the instructions given by the President to the board, that, in connection with its other work, the board should "translate the tariff into plain English" by showing the ad valorem equivalent of every rate embraced in the tariff schedules, whether such rate, as fixed by the law, is specific, ad valorem, or compound. In carrying out this plan the board has found it expedient to incorporate with it a large amount of additional statistical data necessary for its work and of great public interest. As a result, the "glossary" when completed will show, as to each important article of product enumerated in the tariff law, the following facts, viz: Kind of material; history and development of the industry; geographical distribution of the industry; technical description of product; technical description of processes employed, domestic and foreign; uses for consumption or for further manufacture; statistics of production, domestic and foreign; existing duty and ad valorem equivalent; previous duties and ad valorem equivalents.

The greater part of this work of compilation is already done, and it is expected that the "glossary" will substantially be completed by January, 1912, and thereafter will be published in sections, each covering the facts relating to one or several tariff schedules, and issued coincidentally with the report of the board on such schedules. Most of the statistical material needed was already in existence, although it had never before been combined and utilized in the manner now proposed.

The "glossary" when completed will be a mine of information for Congress and the people on all statistical subjects relating to the tariff, and will be invaluable in all future work of tariff revision. While its original preparation has entailed a vast amount of work, its value will amply justify the moderate cost. The work of keeping the "glossary" complete and corrected to date in the future will be comparatively light and inexpensive.

On October 1, 1910, the Tariff Board was fairly organized, all three of its members were again at home, it had 25 employees selected and engaged, and its "field work" was planned and started. This date marks the real commencement of the work of the board in investigating and determining "costs of production at home and abroad." Practically all that the board has accomplished in this its permanent field of operations has been accomplished since October 1, 1910.

The term "field work" used above relates to the work of experts employed by the board in visiting industrial plants, at home and abroad, to investigate their products and processes, and, by personal inspection of their books and records, to obtain, at first hand, all information essential to determining, on a uniform basis for each industry, previously planned by the board, the actual cost of production for each product investigated.

On January 1, 1911, the staff of the Tariff Board was well organized and its work in full swing, the number of names on the pay roll being 70. The Senate, by a resolution adopted February 23, called on the board for an immediate report on the then pending Canadian reciprocity bill, and on farm products. By calling in men from field work, and by working nights and a Sunday, this report was completed in five days, and was handed in on February 28. It covers 132 printed pages and is fully responsive to the resolution.

During the short session of the Sixty-first Congress, ending March 4, 1911, several bills were introduced intended to make the Tariff Board permanent, increasing its number to five, and more clearly defining

its powers. A bill to this effect was adopted by each House of Congress, in slightly different forms, but failed of final enactment during the last hour. It is greatly to be hoped that a bill of this kind may be passed by the present Congress at the earliest practicable date, thus guaranteeing the permanence of the Tariff Board and its work, and removing both from the field of partisan politics.

On March 4, 1911, President Taft appointed two additional members of the Tariff Board, thus raising its membership to five, and in doing so selected Democrats, the three previous appointees being Republicans, thus giving practical effect to two of the provisions of the bill above referred to. The two new appointees were Prof. Thomas W. Page, professor of economics in the University of Virginia, and previously dean of the College of Commerce, University of California; and Hon. William M. Howard, for 14 years a Member of the House of Representatives from Georgia, and a member of the Foreign Relations Committee in the Sixty-first Congress.

On May 15, seven and one-half months after its effective organization, the board handed in its first completed report on a tariff schedule. This is a report of 134 printed pages on "The Pulp and News-Print Paper Industry," and can properly be regarded as a specimen of the work which the board can accomplish. As such it should be noted carefully by all American manufacturers. It will be referred to in detail later. On this date the number of names on the pay roll of the board was 78, including 31 men engaged in "field work," 4 of the latter being in Europe and the remainder in domestic plants.

The tariff embraces 14 schedules, designated by letters A to N. The first selected for investigation was Schedule K, wool and woolsens. The work on this will be finished as to raw wool for all countries during July, and it is expected to have the remaining work, relating to woolen manufactures, completed, including the "glossary," so that the entire report will be finished and available by December, 1911. The work is very broad in its scope, has disclosed numerous discrepancies and errors in previously accepted authorities, and will have great permanent value. Work was next started on Schedules M (paper and pulp), A (chemicals), and I (cotton manufactures). The work on the first of these is now about 80 per cent completed, on the second about 40 per cent, and on the third about 33 per cent. Work has not yet been commenced on any of the other schedules, except that the "glossary work," as above stated, for all schedules is well advanced toward completion.

By the same date the board expects to submit its report on Schedule I (cotton manufactures) complete with "glossary," and the "glossary" relating to Schedule A (chemicals), which will be of exceptional importance because of the relations of this schedule to many others. The whole field force of 31 experts is now engaged on the textile schedules, K and I, in the domestic and foreign markets, and the work of the board is being conducted on as large a scale as is justified by the present appropriation.

The Tariff Board hopes to utilize, in connection with Schedule C (iron and steel) and Schedule D (lumber), much of the data heretofore accumulated by the Bureau of Corporations of the Department of Commerce and Labor. It is greatly to be desired that the work of the two bureaus, where it overlaps, should be so coordinated as to avoid needless duplication and to advance the purposes of both.

Work on the subjects covered by report No. 1, on the pulp and paper industry, above referred to, began October, 1910, and the report was forwarded to the President May 15, 1911. In the "field work" from five to eight experts were employed during an average of about three months. In the office work two persons were employed about one month in the preparation of the necessary forms, two persons about one week in visiting plants to verify the correctness of these forms, and 12 persons about two months in digesting and tabulating the data obtained by the field force. In this industry every domestic manufacturer who was called on responded unreservedly to the requests of the board except one small manufacturer, who, however, consented later. This was done, not by furnishing ex parte statements (as in congressional investigations heretofore undertaken), but by opening their books to the field representatives of the Tariff Board and by permitting the latter to obtain all desired information and to verify its correctness by all necessary checks. All of this was accomplished by the voluntary cooperation of the manufacturers and without the possession by the board of any coercive powers. This experience was repeated in Canada, where, after some reluctance at first, the manufacturers cooperated with equal willingness and unreserve. The data thus obtained relating to the pulp and paper industry covered 80 per cent of the domestic production and 78 per cent of the Canadian production.

As illustrative of the value and possibilities of the work of the Tariff Board this report (of 134 pages) may be compared with the special report of the Sixtieth Congress, second session, House Document No. 1502, relating to the same subject, which is embraced in five volumes, containing 3,366 pages, and an index volume of 284 pages, the investigation having commenced in April, 1908, and closed in March, 1909. The essence of this report of the Tariff Board is contained in Tables 4 and 5, on page 28, and in Table 17, on page 52. The facts contained in these tables afford a sounder basis for intelligent action by Congress than has ever heretofore been available, although the report is replete from beginning to end with useful and enlightening data. One of the significant facts brought out is the wide discrepancy in plant efficiency, due partly to size and location, but chiefly to quality of equipment. The evidence thus developed should have a wholesome influence in stimulating all owners of plants of low efficiency to secure the obvious benefits to be obtained by conforming them to the best modern practice.

It is already apparent that the cooperation of manufacturers, given so unreservedly in the paper and pulp investigation, can confidently be looked for in other industries. It has definitely been tendered by leading interests identified with the cotton, woolen, steel, and chemical industries. The reluctance of manufacturers to cooperate, which at first was anticipated, if it ever existed, is yielding to the influence of experience and good judgment, and bids fair ultimately to disappear. The producer who believes that he needs and should have protection should be willing to furnish facts in support of this plea, and the experience thus far tends to show that a majority, if not all, of those interested in the tariff are ready to assist the Tariff Board in ascertaining impartially, accurately, and completely all of the essential facts in each industry involved. With this cooperation assured, we are convinced as to the ability of the board to accomplish the important work for which it has been created.

The organization of the Tariff Board on May 26, 1911, was as follows:

Members of the board	5
Executive secretary of board	1
Private secretaries to members and official reporter	2
File clerk	1
Assistant file clerk	1
Statistician	1

Technical experts in field (1 in Europe)	3
Chief examiners in field (both in Europe)	2
Representatives in field (1 in Europe)	4
Statistical clerk and chart maker	1
Statistical clerk and stenographer	1
Statistical clerks	2
Agents in field	18
Examiners in field	3
Examiners in office	4
Chief examiner in office	1
Stenographers in office	8
Librarian	1
Clerks	10
Special employee (loaned by New York customhouse)	1
Technical expert in office	1
Messenger	1
Assistant messengers	3
Telephone operator	1
Charwomen	2
Total	78

Mr. COOPER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER. Why was not the message read before the vote was taken on the bill?

The SPEAKER. The Chair does not know. The message came in while the House was in Committee of the Whole House on the state of the Union, and did not give any information on the subject under consideration.

Mr. FITZGERALD. If it had been sent in before the President left town, it would have been in time.

Mr. RUCKER of Missouri. Mr. Speaker, I would like to have the indulgence of the House for one minute. I will not ask a longer time than that.

Mr. MANN. Mr. Speaker, just a second. I think, in justice to the Speaker, I should say that the message just read came to the House while the House was in Committee of the Whole House on the state of the Union, the committee rising informally for the purpose of receiving the message. The gentleman at the Speaker's desk, the parliamentary clerk, submitted the message to myself, the gentleman from Alabama [Mr. UNDERWOOD], and a few other gentlemen of the House, and asked whether we desired to have the committee rise and go back into the House for the purpose of having it read. As the message stated that it had no information to convey to the House from the Tariff Board other than that which had already been sent to the Ways and Means Committee, I said that I thought at that stage it was not necessary for the committee to rise in order to have the message read, and which, of course, would have been a very unusual proceeding. [Applause.]

The SPEAKER. The Chair thanks the gentleman from Illinois for making that graceful statement.

DIRECT ELECTION OF SENATORS.

Mr. RUCKER of Missouri. Mr. Speaker, just a minute.

The SPEAKER. The Chair will recognize the gentleman from Missouri [Mr. RUCKER].

Mr. RUCKER of Missouri. Mr. Speaker, it was my purpose, after a conference with gentlemen on the other side a few days ago, to wait until the passage of the bill just voted upon and then move to take from the Speaker's table, or ask the Speaker to lay before the House, the resolution relating to the election of Senators by popular vote. I understood that by agreement on both sides this course would be pursued immediately following the passage of the bill which has just been voted on. Relying upon that, and believing that that was the understanding, I told numerous gentlemen so. Now, in order to be fair with myself and to gentlemen on the other side, I want to say we expected to go at it at a time when we had daylight in which to transact the business. There seems to be a desire for debate. The indications are that as much as an hour and a half on a side may be wanted. That much debate now would prolong the session until a late hour, and I find that a large majority of the membership of the House protest against such a prolonged session. I have made this statement in order to put myself right with gentlemen whom I have promised I would ask for immediate action on the bill. A few minutes ago, in conference with gentlemen representing the other side of the Chamber, we agreed that, with the approval of the House, the matter be passed until to-morrow, and then be taken up immediately after the reading of the Journal, and then proceed to consider it and conclude it. The impression now prevails that we will get through in time for all gentlemen who desire to do so to leave the Capitol building by 5 o'clock, or probably a little earlier; but until then I earnestly hope that all gentlemen interested in this question, especially all Democrats, as well as those on the other side of the aisle, will remain here to-morrow and determine the course we will take with reference to the amendment which came to us from the Senate.

Now, I thank the House, Mr. Speaker, for its courtesy. [Applause.]

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 13 minutes p. m.) the House adjourned until Wednesday, June 21, 1911, at 12 o'clock m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Treasury calling attention to department letter of December 9, 1910, recommending legislation respecting disposition of old Federal building at Owensboro, Ky. (H. Doc. No. 73); to the Committee on Public Buildings and Grounds and ordered to be printed.

A message from the President in reply to House resolution of June 7, 1911, inclosing communications from the Tariff Board (H. Doc. No. 74); to the Committee on Ways and Means and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 386) granting a pension to Emma L. Miller; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9170) granting an increase of pension to Nathaniel J. Smith; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11103) granting a pension to H. E. Rives; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SHERLEY: A bill (H. R. 11877) to amend section 8 of the Food and Drugs Act, approved June 30, 1906; to the Committee on Interstate and Foreign Commerce.

By Mr. GRIEST: A bill (H. R. 11878) authorizing travel allowances to railway postal clerks; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 11879) authorizing the Postmaster General to transfer or detail railway postal clerks to certain clerical positions; to the Committee on the Post Office and Post Roads.

By Mr. CULLOP: A bill (H. R. 11880) granting pensions to certain enlisted men, soldiers, sailors, and officers, who served in the late War with Mexico; to the Committee on Pensions.

By Mr. COX of Indiana: A bill (H. R. 11881) to amend section 1321 of the Revised Statutes of the United States; to the Committee on Military Affairs.

By Mr. CLINE: A bill (H. R. 11882) providing for the discontinuance of ports and supports of entry that are not self-supporting; to the Committee on Ways and Means.

By Mr. HAYES: A bill (H. R. 11883) to amend an act making an appropriation for the support of the Military Academy for the fiscal year ending June 30, 1911, and for other purposes, approved April 19, 1910; to the Committee on Military Affairs.

By Mr. SLAYDEN (by request): A bill (H. R. 11884) to acquire certain land in Washington Heights for a public park to be known as McClellan Park; to the Committee on Appropriations.

By Mr. SABATH: Resolution (H. Res. 212) directing the Secretary of State to secure information concerning American ladies marrying titled foreigners, why certain ones have not been permitted to take part in the coronation ceremonies in London, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WICKERSHAM: Resolution (H. Res. 213) authorizing the Committee on the Territories to investigate the present needs and requirements of the people of Alaska, and for other purposes; to the Committee on Rules.

By Mr. LLOYD: Resolution (H. Res. 214) appropriating money for the payment of Nathaniel T. Crutchfield and Mrs. H. McKenna Kolkmeier for services in connection with the preparation of the rules of the Fifty-third Congress; to the Committee on Accounts.

By Mr. MARTIN of South Dakota: Joint resolution (H. J. Res. 123) permitting the Sons of Veterans, United States of America, to place a bronze tablet in the Washington Monument; to the Committee on the Library.

By Mr. TALBOTT of Maryland: Joint resolution (H. J. Res. 124) for the relief of the heirs of George R. Simpson; to the Committee on Claims.

By Mr. STEPHENS of Texas: Joint resolution (H. J. Res. 125) to make immediately available a certain appropriation heretofore made for the Mexican Kickapoo Indians; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 11885) granting an increase of pension to William C. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11886) granting an increase of pension to George A. Carpenter; to the Committee on Invalid Pensions.

By Mr. ANDERSON of Ohio: A bill (H. R. 11887) granting an increase of pension to John W. Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11888) granting an increase of pension to John J. Rumsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11889) granting an increase of pension to James A. Henry; to the Committee on Invalid Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 11890) granting an increase of pension to John Bahm; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11891) granting an increase of pension to James W. A. Dittmar; to the Committee on Pensions.

By Mr. CAMERON: A bill (H. R. 11892) granting a pension to Thomas W. Magill; to the Committee on Pensions.

By Mr. CLINE: A bill (H. R. 11893) granting a pension to Cyrus Fike; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11894) granting a pension to John B. Flint; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11895) for the relief of Manuel and Celestino Luz; to the Committee on War Claims.

By Mr. DAUGHERTY: A bill (H. R. 11896) granting a pension to Albert Yoder; to the Committee on Pensions.

Also, a bill (H. R. 11897) granting a pension to Nannie J. Beckmon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11898) granting an increase of pension to Henry V. Leach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11899) granting an increase of pension to Andrew M. Cage; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11900) granting an increase of pension to Summerville Burns; to the Committee on Invalid Pensions.

By Mr. DENVER: A bill (H. R. 11901) granting a pension to Hannah Leverton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11902) granting a pension to John Albright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11903) granting a pension to Alexander Kirkpatrick; to the Committee on Pensions.

Also, a bill (H. R. 11904) granting a pension to Levi Faris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11905) granting a pension to Daniel E. Bavis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11906) granting a pension to M. Claire Hughey; to the Committee on Pensions.

Also, a bill (H. R. 11907) granting a pension to James I. Taylor; to the Committee on Pensions.

Also, a bill (H. R. 11908) granting an increase of pension to Edward W. Conger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11909) granting an increase of pension to William H. Buffinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11910) granting an increase of pension to David C. Cass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11911) granting an increase of pension to Marion P. Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11912) granting an increase of pension to John Wilkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11913) granting an increase of pension to Joseph W. Randall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11914) granting an increase of pension to Staley F. Stemble; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11915) granting an increase of pension to Francis M. Sears; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11916) granting an increase of pension to John Carnahan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11917) granting an increase of pension to Morgan Tedrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11918) granting an increase of pension to Peter O. Benham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11919) granting an increase of pension to James Monroe Sutton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11920) granting an increase of pension to Azubath Srofe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11921) granting an increase of pension to James Long; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11922) granting an increase of pension to George W. Huston; to the Committee on Pensions.

Also, a bill (H. R. 11923) granting an increase of pension to John Black; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11924) granting an increase of pension to Asher E. Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11925) granting an increase of pension to Walter P. Moody; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11926) granting an increase of pension to Ephraim Castello; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11927) granting an increase of pension to John Hiett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11928) granting an increase of pension to William H. Few; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11929) granting an increase of pension to Elijah Coven; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11930) granting an honorable discharge to James B. Mulford; to the Committee on Military Affairs.

Also, a bill (H. R. 11931) to pay Charles L. Gallaher the sum of \$215; to the Committee on War Claims.

By Mr. GUERNSEY: A bill (H. R. 11932) granting an increase of pension to Manly S. Tyler; to the Committee on Invalid Pensions.

By Mr. GILLETT: A bill (H. R. 11933) authorizing the quitclaiming of the interest of the United States in certain land situated in Hampden County, Mass.; to the Committee on Military Affairs.

By Mr. HAMILTON of West Virginia: A bill (H. R. 11934) granting an increase of pension to George M. Riddle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11935) granting an increase of pension to Gideon Mason; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 11936) granting a pension to John A. Tuttle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11937) granting a pension to Sarah Stringer; to the Committee on Pensions.

Also, a bill (H. R. 11938) granting an increase of pension to John Martin; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 11939) granting an increase of pension to John D. Neff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11940) granting an increase of pension to William Reynolds, alias William McGurk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11941) granting an increase of pension to Joseph Taylor; to the Committee on Invalid Pensions.

By Mr. MAHER: A bill (H. R. 11942) granting an increase of pension to Patrick Carey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11943) granting an increase of pension to John K. Willson; to the Committee on Invalid Pensions.

By Mr. MALBY: A bill (H. R. 11944) for the relief of James D. Dardis; to the Committee on Military Affairs.

Also, a bill (H. R. 11945) for the relief of Albert H. Sanders; to the Committee on Military Affairs.

Also, a bill (H. R. 11946) granting an increase of pension to Oscar F. Maynard; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 11947) granting a pension to Philip G. Herrnstain; to the Committee on Pensions.

By Mr. REILLY: A bill (H. R. 11948) granting an increase of pension to Henry B. Wood; to the Committee on Invalid Pensions.

By Mr. RUCKER of Colorado: A bill (H. R. 11949) granting an increase of pension to Thomas C. Noonan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11950) granting a pension to Walter Cox; to the Committee on Pensions.

By Mr. SHARP: A bill (H. R. 11951) granting a pension to Anna R. Wright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11952) granting an increase of pension to Joseph Lockhart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11953) granting an increase of pension to Joseph Finley; to the Committee on Invalid Pensions.

By Mr. SIMS (by request): A bill (H. R. 11954) for the relief of David W. Reed; to the Committee on War Claims.

By Mr. SPEER: A bill (H. R. 11955) granting an increase of pension to Isaac Shakely; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: A bill (H. R. 11956) granting a pension to Ida M. Angell; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 11957) granting an increase of pension to George W. Gordon; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: A bill (H. R. 11958) for the relief of Ella R. A. Anderson; to the Committee on War Claims.

By Mr. STERLING: A bill (H. R. 11959) granting a pension to James W. Bennett; to the Committee on Pensions.

By Mr. SWITZER: A bill (H. R. 11960) granting an increase of pension to John P. Locey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11961) to correct the military record of Allen Fenton; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 11962) granting a pension to Mary E. Kellerman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11963) granting a pension to Emma K. Drips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11964) granting a pension to Mary A. Best; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AUSTIN: Petition of C. B. Jones, heir of John Jones, deceased, late of Anderson County, Tenn., praying reference of his claim to the Court of Claims under the Bowman Act; to the Committee on War Claims.

By Mr. BURKE of South Dakota: Petition of South Dakota Conference of Seventh-day Adventists, opposing the enactment of any legislation relative to the observance of the first day of the week; to the Committee on Rules.

By Mr. DANIEL A. DRISCOLL: Resolutions of the Retail Merchants' Association of Buffalo, N. Y., opposing House bill 8887, proposing a tax on patent medicines; to the Committee on Ways and Means.

By Mr. FULLER: Petition of Illinois Pharmaceutical Association, opposing House bill 8887, known as the Sherley stamp-tax bill; to the Committee on Ways and Means.

By Mr. GRIEST: Petition of Messrs. Miller & Hartman, and other merchants of Lancaster County, Pa., favoring a reduction of the import duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. GUERNSEY: Petitions of numerous citizens, favoring a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. HAMIL: Resolution of Robert Fulton Social and Literary Society, of New York City, condemning Consul General Griffith's indorsement of a recent speech made by Sir Edward Grey in the English House of Commons in reference to the purpose of Anglo arbitration; to the Committee on Foreign Affairs.

By Mr. HAMILTON of West Virginia: Petitions of numerous citizens of West Virginia, asking that the duty on raw and refined sugars be reduced; to the Committee on Ways and Means.

By Mr. KONOP: Petition of citizens of Wisconsin, for fish-ways on the Fox River to the Committee on Rivers and Harbors.

By Mr. LANGHAM: Petitions of numerous citizens of Pennsylvania, favoring a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. LEE of Georgia: Petition of J. C. Knight, heir of Charles G. Knight, late of Polk County, Ga., praying reference of his claim to the Court of Claims under the act of March 3, 1883, known as the Bowman Act; to the Committee on War Claims.

By Mr. MARTIN of South Dakota: Petitions of numerous citizens of Minnesota and South Dakota, favoring a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. SHARP: Resolutions adopted by Hurd Post, No. 114, Department of Ohio, Grand Army of the Republic, of Mount Gilead, Ohio, protesting against the passage of House bills 167 and 4470, and all like bills; to the Committee on Pensions.

By Mr. SIMS: Papers to accompany bill for the relief of David W. Reed; to the Committee on War Claims.

By Mr. STEPHENS of Texas: Petition of the Cattle Raisers' Association of Texas, protesting against the passage of certain legislation (H. R. 4693) relating to the cold storage of meat products; to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Memorial of East St. Louis (Ill.) Branch, National German-American Alliance, approving House resolution No. 166 and condemning the manner in which the immigration office at Ellis Island is at present conducted; to the Committee on Immigration and Naturalization.

SENATE.

WEDNESDAY, June 21, 1911.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.
The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 11019) to reduce the duties on wool and manufactures of wool, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented petitions of the Commercial Club of Chicago, Ill.; of the Diocese of the Protestant Episcopal Church of Connecticut; and of the congregation of the Calvary Baptist Church, of Rochester, N. Y., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented a memorial of United Mine Workers' Union No. 99, of Belleville, Ill., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. WETMORE presented a petition of the Board of Trade of Providence, R. I., praying that an appropriation be made to increase to a depth of 30 feet the harbor at that city, which was referred to the Committee on Commerce.

Mr. BURNHAM presented a memorial of Local Grange, Patrons of Husbandry, of Chester, N. H., and a memorial of Cheshire Grange, No. 131, Patrons of Husbandry, of Keene, N. H., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. WARREN presented memorials of Rev. H. E. Reeder, general pastor of the Northeastern Wyoming Field, Seventh-day Adventists, and of sundry citizens of Sheldon, Thornton, and Upton, in the State of Wyoming, remonstrating against the enforced observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. CUMMINS presented memorials of sundry citizens of Victor and Iowa City, in the State of Iowa, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. BURTON presented a petition of the Chicago Peace Society, of Illinois, praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. GALLINGER presented a petition of the Columbia Heights Citizens' Association of the District of Columbia, praying for the enactment of legislation to correct the alley-slum conditions in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of the Columbia Heights Citizens' Association of the District of Columbia, praying for the enactment of legislation to prohibit the pollution and obstruction of the waters of Rock Creek, etc., which was referred to the Committee on the District of Columbia.

Mr. PERKINS presented memorials of sundry citizens of Susanville, Lodi, and Santa Cruz, all in the State of California, remonstrating against the passage of the so-called Johnston Sunday-rest bill, which were ordered to lie on the table.

Mr. POINDEXTER presented memorials of sundry citizens of College Place, Walla Walla, Dayton, North Yakima, Pomeroy, Richland, Granger, Farmington, Penawawa, Cle Elum, Wilcox, Endicott, Spokane, Douglas, Prescott, Burbank, St. John, Pullman, Pasco, Kennewick, Eureka, Turk, Addy, Myers Falls, and Kettle Falls, all in the State of Washington, remonstrating against the passage of the so-called Johnston Sunday-rest bill, which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. LODGE, from the Committee on the Philippines, to which was referred the bill (S. 2761) to amend an act approved February 6, 1905, entitled "An act to amend an act approved July 1, 1902, entitled 'An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes,' and to amend an act approved March 8, 1902, entitled 'An act temporarily to provide revenue for the Philippine Islands, and for other purposes,' and to amend an act approved March 2, 1903, entitled 'An act to establish a standard of value and to provide for a coinage system in the Philippine Islands,' and to provide for the more efficient administration of civil government in the Philippine Islands, and for

other purposes," reported it with amendments and submitted a report (No. 83) thereon.

Mr. NELSON, from the Committee on Public Lands, to which was referred the bill (S. 2462) to cede jurisdiction to the State of Georgia over certain land in Fulton County, reported it without amendment.

REPORT ON SEIZURES OF COTTON.

Mr. SMOOT, from the Committee on Printing, to which was referred Senate resolution No. 49, submitted by Mr. WILLIAMS on the 23d ultimo, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That there be printed for the use of the Senate document room 1,000 copies of Executive Document No. 23, Forty-third Congress, second session, entitled "A Report of the Acting Secretary of the Treasury," in relation to the number of bales of cotton seized under orders of that department after the close of the war.

FEDERAL ANTITRUST DECISIONS.

Mr. SMOOT, from the Committee on Printing, to which was referred Senate concurrent resolution No. 3, submitted by Mr. GORE on the 17th ultimo, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 3,000 copies of the Federal antitrust decisions, 1890 to 1911, to be compiled by the direction of the Department of Justice, 1,000 copies for the use of the Senate and 2,000 copies for the use of the House of Representatives.

TEXTILE INDUSTRY OF THE UNITED STATES.

Mr. SMOOT. From the Committee on Printing, I report back favorably an article presented by the Senator from New Hampshire [Mr. GALLINGER] on the 12th instant, relative to the textile industry of the United States, and ask that it be printed as a public document. (S. Doc. No. 53.)

The VICE PRESIDENT. Without objection, the order to print will be entered.

ST. FRANCIS RIVER BRIDGE IN ARKANSAS.

Mr. MARTIN of Virginia. From the Committee on Commerce I report back favorably without amendment the bill (S. 2766) to authorize the St. Louis, Iron Mountain & Southern Railway Co. to construct and operate a bridge across the St. Francis River, in the State of Arkansas, and for other purposes, and I submit a report (No. 82) thereon. I ask unanimous consent for its present consideration.

The Secretary read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PALMERS OR WARREN RIVER BRIDGE IN RHODE ISLAND.

Mr. MARTIN of Virginia. From the Committee on Commerce I report back favorably without amendment the bill (S. 2732) to authorize the Providence, Warren & Bristol Railroad Co. and its lessee, the New York, New Haven & Hartford Railroad Co., or either of them, to construct a bridge across the Palmers or Warren River, in the State of Rhode Island, and I submit a report (No. 81) thereon. I call the attention of the Senator from Rhode Island [Mr. LIPPITT] to the bill.

Mr. LIPPITT. I ask unanimous consent for the present consideration of the bill just reported by the Senator from Virginia.

The VICE PRESIDENT. The Secretary will read the bill for the information of the Senate.

The Secretary read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BACON:

A bill (S. 2833) granting an increase of pension to John T. Peel (with accompanying paper); to the Committee on Pensions.

By Mr. CULLOM:

A bill (S. 2834) granting an increase of pension to Chastina E. Hawley (with accompanying paper); and

A bill (S. 2835) granting a pension to David Black; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 2836) granting an increase of pension to John W. Yount (with accompanying papers); to the Committee on Pensions.